

The Kennedy School Review

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IMPLICATIONS OF THE NEW INTERNATIONAL ORDER

International Security Policy

Slouching Towards *Realpolitik*
Matthew Stumpf

Russia and NATO Enlargement: The View from Iran
Jin Pak

Bioterrorism and U.S. Response Capacity
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Intelligence Control and Reconciliation Strategies in Guatemala
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IMPLICATIONS OF THE NEW INTERNATIONAL ORDER

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John F. Kennedy School of Government
79 John F. Kennedy Street
Cambridge, MA 02138, USA

All inquiries should be forwarded to the above address, or
ksr@ksg.harvard.edu.

Visit our website at www.ksg.harvard.edu/ksr

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PREFACE: THE GOVERNANCE OF GLOBALISM
DEAN JOSEPH S. NYE, JR.

As networks of interdependence stretch beyond the boundaries of the nation-state, resulting in financial and political instability as well as growth and progress, how is globalism to be governed? A world government is not the answer. Some draw an analogy from American history, asking today's nation-states to join together as the thirteen colonies did. Just as the development of a national economy in the late nineteenth century led to the growth of federal government power in Washington, so the development of a global economy will require some kind of federal power at the global level.¹ But the American analogy is misleading. The thirteen original colonies shared far more in English language and culture than the more than two hundred nations of the world share today. Rather than thinking of a hierarchical world government, we should think of networks of governance crisscrossing and coexisting with a world divided formally into sovereign states.

For now, the key institution for global governance is going to remain the nation-state. In such a globalized era, this means that states will have to cooperate on a greater number of policy issues. Even countries as strong as the United States will find that they are unable to achieve many of their goals without coordinating their activities. Global issues such as financial stability, climate change, migration, terrorism, and drug smuggling ignore state borders. Cooperation may take the form of bilateral and multilateral treaties, informal agreements among bureaucracies, and delegation to formal intergovernmental institutions. Regulation of global flows will often grow by layers of accretion rather than by a single treaty and may remain imperfect for quite some time.

Some attempts at governance will not involve states as coherent units but rather will be either transgovernmental (components of states engage with one another) or transnational (involving nongovernmental actors). Alongside the interstate institutional framework, there is developing an informal political process that supplements the formal process of cooperative relations among states. In the public sector, different components of governments have informal contact. In most embassies of large democratic countries today, foreign-service personnel form a minority of those stationed abroad. The majority of American government officials actually come from agencies such as agriculture, transportation, commerce, energy, NASA, defense, intelligence, and the FBI.

On the private side, transnational corporations and offshore fund managers are playing a larger-than-ever role in creating rules and standards. Their practices often create *de facto* governance. International commercial arbitration is basically a private justice system and credit rating agencies are private gate-keeping systems. They have emerged as important governance mechanisms whose authority is not centered in the state. In the nonprofit sector, there has been an extraordinary growth of organizations—still largely Western, but increasingly transnational. These organizations and the multiple channels of access across borders are able to put increasing leverage on states and intergovernmental organizations as well as transnational corporations.

The power of these organizations is frequently their mobilization of shame to impose costs on national or corporate reputations. Transnational drug companies gave up lawsuits in South Africa over infringement of their patents on AIDS drugs because, in the words of the *Financial Times*, "demands for greater social responsibility from business are getting louder, better organized, and more popular. They cannot be ignored." The pullback of these drug companies was a reflection of their realization that their legal battle in South Africa was a "public relations disaster." Similar campaigns of naming and shaming have altered the investment and employment patterns of companies like Mattel and Nike in the toy and footwear industries. Some transnational corporations such as Shell now employ large staffs just to deal with NGOs.

The results of these pressures are not always consistent with government preferences. For example, if transnational corporations were to respond to an NGO campaign by agreeing to raise the age of child labor in their factories, they might be countermanding the decision of the elected government of a sovereign country like India more effectively than any formal international vote taken in the WTO. The evolution of civil and business networks has been largely uncoordinated, and it remains unclear how they could fit together in a representative form of global governance.²

Anti-globalization protesters call into question the legitimacy of global institutions and networks on the grounds that they are undemocratic. For example, Lori Wallach, one of the organizers of the coalition that disrupted the WTO in Seattle, attributed half of its success to "the notion that the democracy deficit in the global economy is neither necessary nor acceptable."³ In today's world, consistency with democratic procedures has become increasingly important.

In reality, the global institutions that have prompted such passionate protest are less powerful than their opponents suggest. Even the much-maligned WTO is a weak organization with a small budget and staff, hardly the stuff of world government. Nonetheless, defenses based on the weakness of international institutions are not enough to protect them from attacks on their legitimacy. Even though the organizations are weak, their rules and resources can have powerful effects. And the anti-globalization protesters raise several interesting points. First, not all the countries that are members of the organizations are democratic. Second, long lines of delegation from multiple governments and lack of transparency often weaken accountability. Third, although the organizations may be agents of states, they often represent only parts of states. For example, trade ministers attend the meetings of the WTO, finance ministers participate in the meetings of the IMF, and central bankers meet at the Bank for International Settlements in Basel. To functional outsiders, even in the same government, these institutions look like closed and secretive clubs. To develop the legitimacy of international governance will require three things: greater clarity about democracy, a richer understanding of accountability, and a willingness to experiment.

Democracy is government by officials who are accountable and removable by the majority of people in a jurisdiction (albeit with provisions for protections of individuals and minorities). But who are "we the people" in a world where political identity at the global level is so weak? The principle of one state,

one vote respects sovereignty, but it is not democratic. On that formula a citizen of Nauru, a UN member, would have ten thousand times more voting power than a citizen of China. On the other hand, treating the world as one global constituency implies the existence of a political community in which citizens of around two hundred states would be willing to be continually outvoted by more than a billion Chinese and a billion Indians.

Minorities acquiesce in the will of a majority when they feel they participate in a larger community. There is little evidence that a sufficiently strong sense of community exists at the global level or that it could soon be created. In the absence of a much stronger sense of community than now exists, the extension of domestic voting procedures to the global level is neither practical nor just. A stronger European Parliament may reduce a sense of “democratic deficit” as the relatively homogeneous democratic states of the European Union evolve, but it is doubtful that the analogy makes sense under the conditions of diversity that prevail at the global level. Adding legislative assemblies to global institutions, except in a purely advisory or consultative role, might well produce an undemocratic body that would interfere with the delegated accountability that now links institutions to democracy. Those who argue for a global parliament are correct in stating that non-elected interest groups cannot “speak for the citizenry as a whole,” but they are wrong in thinking the only serious answer is “some type of popularly elected global body”—at least not until the world develops a widespread sense of identity as “a citizenry as a whole.”⁴

We should not assume that globalization in its current form will inevitably continue as it has. Political reactions against globalization and its rudimentary institutions of governance are now commonplace. Concerns about instability, inequality, and cultural identity are justified, even if overstated. The fact that democratic accountability is difficult to achieve in a globalized world makes policies that foster globalization vulnerable to attack. The results are not likely to be the same as those seen in the period between the onset of World War I and the end of World War II, but the possibility of a protectionist setback for economic globalism cannot be excluded if there is great instability or a prolonged economic downturn. Ironically, if the current political backlash leads to a rash of unilateral protectionist policies, it might slow or reverse the world’s economic integration even as global warming or the spread of the AIDS virus continues apace. It would be ironic if current protests curtailed the positive aspects of globalization while leaving the negative dimensions.

This article draws upon Dean Nye’s latest book, *The Paradox of American Power* (Oxford University Press, 2002).

¹ Michael J. Sandel, *Democracy’s Discontents* (Cambridge, MA: Harvard University Press, 1996), 338n.

² Richard Falk and Andrew Strauss, “Toward Global Parliament,” *Foreign Affairs*, January-February 2001, 216.

³ “The FP Interview: Lori’s War,” 37, 47. See also Richard Longworth, “Government Without Democracy,” *The American Prospect*, Summer 2001, 19–22.

⁴ Falk and Strauss, “Toward Global Parliament,” 212–13.

EDITORIAL INTRODUCTION

This is the third volume of the *Kennedy School Review*, and it once again showcases the diverse thought of the emerging public leaders who study at the Kennedy School of Government at Harvard University. This year, in particular, is marked by a profound need for innovative thinking and intellectual leadership. The students of the Kennedy School, though, have risen to the challenge, and the publication you hold in your hands is a testament to their efforts.

This edition is being published at a time when the events of September 11th, and those that followed, remain fresh in our minds. The tragedy of that day, nearly nine months ago, filled each of us with an odd mixture of sorrow, horror, fear, anger, confusion, and loss. Our basic presumptions about the world in which we live were shaken, and a feeling of *anomie* threatened to engulf us all.

As students at an institution devoted to the careful study of public policy, we should be better equipped than most to make sense of the complex chain of events and interacting forces that might culminate in a September 11th. Even so, we recognize the inherent limits of our craft. Academic analysis has a limited ability to make sense of the inherently incomprehensible.

This publication offers no easy answers, for there are none to be found. It merely advances a simple proposition, that by gaining a greater understanding of the complex dynamics at work within the international system, by acknowledging areas of critical uncertainty, and by admitting our vulnerabilities to factors which lie outside of our control, we will be better prepared as students of public policy, and students of life, to deal with the challenges of the future. Gaining this perspective necessarily involves a level of introspection and honesty which may be quite uncomfortable at times; at the Kennedy School, however, we are taught to confront these problematic realities.

And so we run headlong into the fray, with a theme which explores the, "Implications of the New International Order." Some of the articles in this volume address the events and aftermath of September 11th directly. Others merely allude to its reverberating effects. All recognize, at the most fundamental level, the need to carefully study the changing dynamics of the international system, so that policies can be shaped which more effectively operate within it.

To lend some structure to the larger work, we have divided articles into three broad categories: International Security Policy, International Development, and Human Rights. A careful reading of the collected pieces, however, makes clear the intricate and complex relationships existing within and between each of these areas. Any system of classification may obscure this point, which should not be lost on any of us.

At times, these articles may raise more questions than answers. They are meant as a starting point, not a final destination, in the search for illumination. As long as there are public policy problems to study, Kennedy School students will continue to study them.

ACKNOWLEDGEMENTS

This volume would not have been possible without the assistance of the entire Kennedy School community. The level of intellectual activity at KSG is rivaled by the level of courtesy, respect, and support we have been shown by our peers, the faculty, and the administration alike. Although it is impossible to thank by name every individual who assisted us in this endeavor, all have our undying gratitude and profound thanks. Nevertheless, we would like to take the opportunity to specifically acknowledge several individuals who were particularly helpful in assembling this publication.

Andrew Leigh, the Managing Editor of *KSR 2001*, was a steady source of information and insight. His previous efforts laid a firm foundation from which we were able build this year's publication.

We have received constant support from Dean Joseph Nye, Jr., who was always ready to assist us in any way he could. He provided invaluable advice in selecting our theme, and contributed the Preface contained in these pages.

For the third year in a row, Fred Schauer has headed the faculty review panel. He helped to identify appropriate members of the Kennedy School faculty to review submissions, and coordinated our recruitment efforts. In addition, he was always on hand to provide any random information or assistance we might need in putting this volume together.

David Hart, Viktor Mayer-Schoenberger, Arthur Applbaum, Ray Goldberg, Ashton Carter, Sanjeev Khagram, Alex Jones, John Donahue, Richard Rosecrance, Julie Wilson and Dimitris Keridis each contributed their scarce time and bountiful expertise in analyzing submissions to determine if they were suitable for publication. Without their candor, it would be impossible to ensure the quality of this publication.

Catherine Riordan

Jarrett Taubman

Editors-in-Chief

INTERNATIONAL SECURITY POLICY

SLOUCHING TOWARD REALPOLITIK: FIRST STEPS TOWARD A LIBERAL THEORY OF ACTION IN U.S. FOREIGN POLICY

MATTHEW STUMPF

U.S. foreign policy is steeped in two dominant theories of international relations – realism and liberalism. Realism’s elegance is tempting, but its self-fulfilling prophecies of international conflict should give policy-makers pause. Liberalism calls for international cooperation, but offers limited policy prescriptions. Only by creating a strategy for the implementation of the impulses of liberal theory will U.S. foreign policy-makers be able to effectively maximize the opportunities for the achievement of U.S. foreign policy goals, and minimize the threats to U.S. national security.

The history of U.S. foreign policy since the end of the Cold War is a story not only of underestimated threats, but also of missed opportunities. Throughout the 1990s and the early 21st Century – even after the attacks of September 11th, 2001 – practitioners of U.S. foreign policy named threats and attempted to counter them at the lowest possible cost and with the most limited possible direct American involvement.

Limiting the costs of intervention is certainly a laudable goal – but a threat-derived, essentially defensive, U.S. foreign policy is inconsistent with American foreign policy goals of fostering a peaceful, stable world, global democratization and worldwide economic expansion in the long-term. As long as the United States maintains a defensive foreign policy posture, threats and opposition to American power will increase, the United States’ ability to defend itself, its interests and the interests of humanity will suffer, and resistance to the fulfillment of American foreign policy goals will proliferate.

The U.S. foreign policy community still lives in the “post-Cold War world”, one of those lonely placeholder phrases that signify little more than the passing of an era, and our failure to name the next. U.S. foreign policy-makers must decide on the future they want to pursue, rather than leaving the content of U.S. foreign policy to be decided by the actions of others or the circumstances of fate or chance.

Policy without Priorities

Between the end of the Cold War and the beginning of the “War on Terrorism,” U.S. foreign policy remained unfocused. To many analysts, this was due more to personality than policy; Bill Clinton’s *ad hoc* foreign policy was either a product of the President’s own inability to choose or of the administration’s general foreign policy incompetence.

More generous observers offer the view that, in an era unlike any before, with instantaneous communication, power diffusing from states to supranational institutions on one hand and from states to individuals and their communities on the other, and less distinct divides between economic imperatives, humanitarian crises, human rights concerns, resource issues, security dilemmas, and power

politics, the Clinton Administration merely sought to accomplish a wider range of foreign policy goals than ever before attempted by an American president. Few, however, argue that the Clinton Administration was ever effective at prioritizing its foreign policy goals.

Foreign policy without priorities quickly becomes an incomprehensible muddle, both to domestic and foreign audiences. In an increasingly complex and interconnected world, policy predictability is a virtue, even if operational predictability is not; a sort of dynamic equilibrium exists where intersubjective norms become internationally accepted norms of state behavior when these norms are upheld by the threat of consequences for deviant behavior.¹ Punishment, to be credible, must be consistent with these threats.

The U.S., as the world's predominant power, leads in creating these norms, but is also expected to be both the encourager and punisher of last resort. That is to say, the United States is most effective in creating the world it wants, in both a positive (opportunity-maximizing) and negative (threat-minimizing) sense, when it effectively contributes to the creation of internationally accepted intersubjective norms of state behavior by outlining which behaviors it believes, as a matter of U.S. policy, ought to be encouraged and which ought to be punished. The ranking of these preferences is the essence of U.S. foreign policy prioritization.

The George W. Bush presidential campaign, and then administration, recognized this liability of Clinton-Gore policy-making – that it had identified many threats and opportunities, but rarely set transparent priorities. In response, Governor Bush and his advisers sought to explicitly define when it would and would not use U.S. power abroad. Their framework, repeated over and over by Bush and his foreign policy advisers over the course of the 2000 campaign, outlined American foreign policy choices in a hierarchy of “national interests,” giving coherence to the unpredictable policy that made them judge Clinton-era foreign policy an abject failure.²

Failure or not, Clinton foreign policy was, to even the most generous analysts, more reactive than consistent. The President encouraged Russian recovery, but expanded NATO; defended Kosovars after failing to protect Bosnian Muslims until very late and Rwandan Tutsis at all; administered a roller coaster of a China policy, including the accidental bombing of a Chinese embassy and a year of high tensions in the Taiwan Strait, after backing off promises to domestic human rights activists to link the benefits of trade to improvements in the People's Republic's defense of its citizens' human rights; and brought the Israelis and Palestinians closer than ever to peace, only to leave the public policy scene amidst some of the worst violence between the groups since the beginning of the *intifada*.

Was this inconsistent policy, though, or merely symptomatic of a more fundamental uncertainty? Certainly, the *zeitgeist* of U.S. foreign policy between 1993 and 2001 was *ad hoc* – but what was this *ad hoc* an instance of?

President Clinton came to power as the greatest traditional threats to U.S. security vanished. The Soviet Union had become 15 new internally focused countries, Europe was moving toward union and Saddam Hussein was temporarily

silenced. In a security sense, traditionally defined, the world seemed fundamentally safer than that any American president had encountered since Harding's "return to normalcy." The new President, elected on his promise to concentrate on the United States' domestic ills, seemed happy to accept most Americans' belief that, at the end of the Cold War, the United States ought to focus on the American economy and other domestic policy issues.

"Powerful People" and a Changing World

At the same time, though, the world was experiencing rapid and fundamental economic, social, and political change. There were the apparent political changes - 15 independent republics replacing the Soviet Union and an Eastern Europe speaking for itself instead of Moscow - but there were also other political realignments. Democratization intensified - in 1974, less than one-third of the world's countries were democratic; by 1996, more than 60 percent were.³ According to Strobe Talbott, "for the first time in history a slim but clear majority of the world's population - 54 percent - lived under democracy."⁴ Though democratization in the former Soviet bloc are accounted for in these increases, democratization has been truly global in scope.

Meanwhile, international economic linkages have increased along with societies' domestic liberalization. Global trade increased 25 percent between 1995 and 1998, and continues to climb.⁵ One of the greatest indicators of (and reasons for) this great period of economic expansion and growing interdependence is the so-called information technology revolution. In the 1960s, telephone lines between Europe and the United States could only handle 80 calls at a time - today, they can handle one million.⁶ Between 1920 and 1990, the cost of a three minute telephone call from New York to London fell from \$244.65 (1990 dollars) to \$3.32.⁷ In 1994, less than 3 million people could access the Internet - by 1998, that number had increased to 100 million, and was doubling each year.⁸ Moreover, though concentrated in the developed world, improvements in communications technology were seen the world over. In China, one million Internet users in 1998 became 20 million only two years later.⁹

These new economic and political realities both influenced and were influenced by social changes. Most important was the advent of what James Rosenau terms "powerful people," stemming from changes in individuals' skills and those individuals' orientation (that is, how they understand their relation to the world) - "shifts in ... [individuals'] skills involve movement away from habitual modes of learning and toward adaptive modes, away from rudimentary and toward complex cognitive maps, away from truncated role scenarios and toward more elaborate ones, and away from dormant and crude and toward active and refined cathectic capacities. The main orientational changes, intensified by the interactive consequences of these enlarged skills and an acute sense of loss of control, involve movement away from unthinking and toward questioning compliance with authority, away from traditional and toward performance criteria of legitimacy, away from loyalties focused on nation-states and toward variable foci, and away from distant and toward close-at-hand loci of control."¹⁰

The impact of communications technology demonstrates one repercussion of more “powerful people.” Think of the impact of television, for example, on your own experiences. Before television, each new experience was authentically new – if you went to the hospital for the first time in 1920, for example, all of the experience was visually new to you. In 2002, though, even if you have never been to the hospital, you know what it is like – you have seen the television show *E.R.* You have never been to the top of Mt. Everest, but you know what the view from 29,028 feet looks like. More to the point for this discussion, you have never been to Moscow and you are not part of the diplomatic corps, but you know what the Kremlin looks like – and what the Russian government inside is saying about NATO expansion.¹¹

How is this relevant to U.S. foreign policy? The advent of truly “powerful people” is changing the world. As Susan Strange writes, “[a]t the peak of their power over society, states claimed, and exercised, the right to control the substance of information ... [G]overnments have been forced by a combination of technological and economic change to give up their control for the sake of maintaining the competitiveness in world markets of the national economies for whose welfare they are held responsible.”¹²

All of this amounts to a change in individuals’ “worldview” – that is, their perception of their place in and relation to the world beyond themselves, including their relation to political authority and the predominant economic system across the globe. As anthropologist Arjun Appadurai notes, “people, machinery, money, images and ideas now follow increasingly nonisomorphic paths; of course, at all period in human history there have been some disjunctures in the flows of these things, but the sheer speed, scale and volume of each of these flows are now so great that the disjunctures have become central to the politics of global culture.”¹³

This changing “worldview” has international political manifestations. According to author Robert Wright, “we’ll see more and more of [political integration] – governance of the world economy (as with the World Trade Organization [WTO] and the International Monetary Fund), of the environment (via an amalgam of treaties, some of which may eventually be enforced by WTO sanctions), and, yes, of international tension (maybe even a United Nations that actually works as intended).”¹⁴

These same impulses create the simultaneous impetus toward substate (and often state-challenging) nongovernmental organizations. As Jessica Mathews puts it, “[n]ational governments are not simply losing autonomy in a globalizing economy. They are sharing powers – including political, social and security roles at the core of sovereignty – with businesses, with international organizations and with a multitude of citizens groups, known as nongovernmental organizations (NGOs).”¹⁵

With all of these economic, social and political changes, since the Cold War, the intellectual constructs of foreign policy have not provided the architecture for coherent thought on the part of the President and his advisers. In the years from 1985 to 2000, rapid and fundamental economic, social and political change was not followed by parallel theoretical changes that would have

transformed the way we think about the international system and, by extension, how governments ought to act in it. Alternatively, American foreign policy-makers described the new world in old terms, or abandoned theory - and the consistency that thinking theoretically offers - altogether. Hence, strategic misunderstanding or the inconsistency that derives from responding to each separate event exclusively in its own terms.

First Steps Toward a Liberal Theory of Action in U.S. Foreign Policy

Theories of international politics inform every country's foreign policy. As John Lewis Gaddis points out, "[p]rinces have always sought soothsayers of one kind or another for the purpose of learning what the future holds."¹⁶

Two theories of international relations - realism and liberalism - pervade U.S. policy-makers' attempts to imagine the future, and, therefore, to plan for it. Realists, to simplify, see an anarchic, self-help world, in which states balance power to ensure that no other state gains control over the international system. In this model, conflict is inevitable - as one state increases its relative security, another state's security decreases relatively, and the latter will fight to redress the balance.

Though "realism offers a simplification that assists one in imagining how any nation - in general or in particular is likely to act," "[v]ast amounts of subnational politicking can be collapsed into the utility-maximizing entity known as a state."¹⁷ That is to say, realism views states as "black boxes" - states' internal politics and ideological preferences do not predict how they will act internationally.

In contrast, liberal theorists "see a global society that functions alongside the states and sets part of the context for states. Trade crosses borders, people have contacts with each other ... and international institutions such as the United Nations create a context in which the realist view of pure anarchy is insufficient."¹⁸ The existence of these linkages, these theorists offer, brings into question the validity of realist theory. According to John Burton, "the contemporary political-sociological environment of states, and contemporary thinking about authority, decision-making, role behavior, conflict, values, and related topics at many different levels of social behavior, have given rise to doubts and questioning about the reality of the hypothesized power-oriented interstate system where before there was seeming certainty and acceptance."¹⁹

Liberal international relations theory better explains the world we observe, but does not explain the persistence of violent interstate conflict or states' inability or unwillingness to eschew conflict in the face of economic interdependence or social interconnectedness. Economic and social ties between the U.S. and China contributed to the muting of the U.S. response to the Tiananmen Square, but did not prevent serious crises over Taiwan in 1995 and 1996, the accidental U.S. bombing of the Chinese embassy in Belgrade in 1999, and the collision of a U.S. EP-3 surveillance plane with a Chinese F-8 fighter in April 2001.²⁰

We see both differences and similarities between international relations in the Cold War era and today, but the theoretical framework of action in international relations has not much changed. Some would offer that it does not need to change – that the fundamentals of the international system remain the same over time. Globalization and growing interdependence and interconnectedness in the late 19th Century did not prevent World War I, which left a “lost generation” of 10 million soldiers in Britain and France, more than one-third of those between the ages of 19 and 22 when the war broke out.²¹

In realists’ minds, the logic of balance-of-power politics outweighs the considerations of interdependence and interconnectedness. According to John Mearsheimer, “[s]tates operating in a self-help world almost always act according to their own self-interest and do not subordinate their interests to the interests of other states, or to the interests of the so-called international community. The reason is simple: it pays to be selfish in a self-help world.”²²

If we also assume, as historian Paul Kennedy puts it, that “[t]he relative strengths of the leading nations in world affairs never remain constant, principally because of the uneven rate of growth among different societies and of the technological and organizational breakthroughs which bring a greater advantage to one society than to another,”²³ or, in the words of Herodotus, that “human prosperity never abides long in the same place,”²⁴ then we can assume that a competitor to U.S. power will eventually emerge – perhaps China – and move to strike American hegemony down.²⁵ Or, inevitably, a coalition of lesser powers will combine to balance American power – trade and cultural networks notwithstanding.

According to this analysis, no economic benefits, political realignments or social changes can outweigh the realities of each state’s fundamental security dilemma – that a relative increase in another state’s power by definition decreases the relative power of one’s own state. As it was in Thucydides’ day, it is today, these theorists offer; modern-day Athenians will go to war to prevent Spartan allies from becoming more powerful. Modern-day Spartans will respond to make sure Athenians do not accumulate too much power.²⁶ Our best wishes to the contrary, they say, the dilemma remains intractable.

But, what if Sparta and Athens had been engaged in \$120 billion in trade each year, as the U.S. and China are?²⁷ Certainly, the very existence of these commercial links would not have absolutely precluded conflict, as some liberal theorists have predicted (going back even to Norman Angell, who wrote *The Great Illusion* along these lines in 1911, as Europe prepared for four years of devastating trench and gas warfare). However difficult to quantify, these linkages must make some difference, both in interstate relations and in individuals’ worldviews.

Moreover, the shift in the attributes of economic flows is as important as the shift in their quantity. According to political scientist Richard Rosecrance, “[d]eveloping countries, which still produce goods derived from land, continue to covet territory. But where the products of land no longer determine market and power relationships, a new form of state is being born: the virtual nation, a nation based on mobile capital, labor, and information. The virtual state is a political unit

that has downsized its territorially based production capability and is the logical consequence of emancipation from land. Virtual states and their associates would rather plumb the world market than acquire territory.”²⁸ If a state’s assets are no longer predominantly territorial, then, there is no reason for traditional forms of warfare; there is little incentive to invade a country which has less value in raw materials than in its service sector, particularly when those who possess the knowledge these services depend on are unlikely to work for a foreign invader.

But economics has not been the only area of fundamental change in international relations in recent years. Increasingly “powerful people” and democratization make foreign policy unlikely to be set purely by a foreign policy elite. Though it is not clear whether democratization and economic globalization decreases the likelihood of violent interstate conflict,²⁹ certainly the increased prevalence of domestic publics interested in foreign affairs affects foreign policy outcomes. For example, the decision to expand NATO derived at least in part from the representation of Polish, Czech and Hungarian diasporas in U.S. states with electoral votes President Clinton was courting for his reelection in 1996.³⁰ It can also be easily imagined that domestic and international publics’ oversight of foreign policy elites contributed to the Bush Administration’s decision to make the provision of humanitarian aid a large and widely publicized element of the recent “war on terrorism” in Afghanistan.

For those reasons, while powerful states have not entirely abandoned great-power conflict, we observe in the real world a variety of events, international and nongovernmental institutions and governmental policy decisions unaccounted for in a realist’s conception of a self-help world of sovereign “black boxes.” The attacks of September 11th are a horrifying example, but there are less stark examples at work everyday – from United Nations peacekeeping missions to an international land mine treaty proposed largely by NGOs and opposed by the United States.³¹ As our world grows in complexity and interconnectedness, these examples can only multiply.

Both liberal and realist theories of international relations are insufficient – realist theories because they don’t describe the world we observe, liberal theories because they don’t offer actionable short-term recommendations.³² As we construct U.S. foreign policy, then, how can we minimize these theories’ shortcomings?

The Realist Theory of Action – *Realpolitik*

Realism is the dominant theory in international relations, as most practitioners of national security believe it important to be safe rather than sorry. They hope that international cooperation will someday trump conflict – in the mean time, though, each state must hedge its bets.

Intersubjectively, then, realism is self-reinforcing and self-justifying. Paradigms are reactive – through positive feedbacks, commonly held beliefs become reality. Realists look out on the world and see other realists, and their fear of others’ realism strengthens their own realist faith. It is nearly impossible, then, to know whether realism’s descriptive power stems from an insightful analysis of

the structure and attributes of the international system, or merely the self-perpetuating belief in its logic.

The distinction here is important. In the former case, if realism describes real attributes of the international system, conflict is inevitable. In the latter case, where realism describes a commonly held, self-reinforcing belief system, conflict can be avoided – by designing a new theory of international relations (and a strategy of implementation for that new theory), and persuading people to believe in it.

In the latter case, security dilemmas are not intractable and, in fact, through communication and trust, states can break down the security dilemma. To take a recent example, states like Russia and the United States can negotiate to unilaterally or cooperatively reduce their nuclear arsenals. China and the U.S. could increase their ability to communicate in time of crisis.

While these are first steps, it seems as if U.S. foreign policy never moves beyond these first steps. Why isn't the U.S. able to move past "one step forward, two steps back" in its dealings with other countries?

Realists are at the helm in the U.S. government – as President George W. Bush put it during his campaign, "I will be a cold-eyed realist when it comes to the world. I see the world the way it is, not the way folks hope it is ... I'm certain that there are madmen and missiles in this world. And I am certain of this, a dangerous and uncertain world requires America to have a sharpened sword."³³

When states are risk-averse and therefore security-conscious, realism—through its application as *realpolitik*—leads to predictable outcomes that help governments plan for the future, but also perpetuates some of the negative outcomes international relations are conducted to prevent.

The result of this misalignment of international relations theory is the perpetuation of realism's self-fulfilling prophecy of international conflict, through the application of realism's strategic analog, *realpolitik* – at the very time that economic and social (and, to a lesser extent, political) changes are making realism less descriptive and therefore falsely prescriptive. International politics based on national interests are more likely to be zero-sum than a theory that incorporates less reductionist ideas of what a country should take into consideration when developing a foreign policy.

Take, for example, today's U.S. policy debate over China's future. Realists like Richard Bernstein and Ross Munro argue that "...China and the United States will be adversaries in the major global rivalry of the first decades of the century. Competition between them will force other countries to take sides and will involve all the standard elements of international competition: military strength, economic well-being, influence among other nations and over the values and practices that are accepted as international norms ... [China] is bound to be no strategic friend of the United States, but a long-term adversary."³⁴ As such, "[t]he primary American objective in Asia must be to prevent China's size, power, and ambition from making it a regional hegemon."³⁵

Some go further, saying that the U.S. ought to do all it can to undermine Chinese power, even precipitating a conflict now. These analysts, it should be noted, are the intellectual successors of those who thought that the U.S. ought to

attack the Soviet Union preemptively in the years after World War II, before the Soviet Union's power became too strong for the United States to balance.³⁶ American decision-makers' unwillingness to listen then allowed the U.S. to avoid what would have ultimately proven to be an unnecessary and bloody war. "Get them before they get us" realists were dangerously off the mark in 1945, and today's China is markedly less dangerous in relative terms to the U.S. than the Soviet Union was in 1945.

Realpolitik continues to find its way into American foreign policy discussions. Our vigilance against competition greatly outweighs our attention to the possibilities of cooperation. To balance cooperation and competition in a world where both are present, we must redress this imbalance.

***Realpolitik* as National Interests**

As noted earlier, to be effective, any country's foreign policy must effectively communicate its priorities and attempt to persuade its allies and antagonists through the various means of national power, "soft" and hard, that these priorities can and ought to be operationalized.

The first step in this foreign policy making chain is prioritization. The U.S. foreign policy community's latest attempt is manifest in the recent proliferation of "national interests" arguments – by which every discussion of U.S. foreign policy ends with someone evoking "U.S. interests" after beginning with "our national interest is ..."

A bipartisan Commission on America's National Interests attempted such a prioritization in a July 2000 report. In their minds, the United States' "vital," most important, interests are: "(1) to prevent, deter and reduce the threat of nuclear, biological, and chemical weapons attacks on the United States or its military forces abroad; (2) to ensure US allies' survival and their active cooperation with the US in shaping an international system in which we can thrive; (3) to prevent the emergence of hostile major powers or failed states on US borders; (4) to ensure the viability and stability of major global systems (trade, financial markets, supplies of energy, and the environment); and (5) to establish productive relations, consistent with American national interests, with nations that could become strategic adversaries, China and Russia."³⁷

Certainly, the possibility of weapons of mass destruction attacks remains a vital concern of U.S. foreign policy, and, certainly, the U.S. ought to do all it can to ensure its allies' survival, but something is missing.

"National interests" thinking has been limited by the following aspects of its application:

The "national interests" orientation is narrow.

The continued predominance of American power depends on the rest of the world's belief in its benevolent application – that is, that the United States uses its power in the interests of the "right" and against the "wrong." For example, the international community was willing to see U.S. power used against terrorists in

Afghanistan, but not against an Iraq the international community perceives as uninvolved in the September 11th attacks.

The constraints of international opinion offer both benefits and problems. Sometimes, it will be necessary to act without international consent, but not often.

It is the reductionism of America national interests that bothers its allies most. The United States is seen as pursuing its distinctly American interests while the rest of the world is also concerned with global interests – a discomfort which was seen most vividly when the U.S. refused to pay its United Nations dues, and felt by some as the United States refused to surrender its own sovereignty to an international court while ignoring others' sovereignty as it finds necessary, as in Kosovo.

It seems, then, to the international community that it works hard to set the rules, while the United States picks and chooses the rules it likes and dislikes. As Joseph Nye relates, “[w]hen Congress legislated heavy penalties on foreign companies that did business with countries that the United States did not like, the Canadian foreign minister complained, ‘This is bullying, but in America, you call it ‘global leadership’.’”³⁸

The United States must live under the constraints of global values – sometimes these constraints will help, sometimes they will hinder; in the long-term, though, they will greatly enhance belief in the “rightness” of American power, lead to a wider embrace of American values, and decrease anti-hegemonist impulses.

Most of all, it is the rhetoric of unilateralism and the avoidance of procedural multilateralism that bothers international audiences more than the outcomes of unilateral behavior. A multilateral outcome is preferable to the same or similar outcome derived unilaterally.

The “national interests” outlook is short-term.

Long-term threats are more difficult to perceive and, as a result, are more difficult to plan for. Moreover, the U.S. government is notoriously bad at long-term planning in the area of foreign policy.

The greatest imaginable threat to American interests in the long-term would be the rise of a coalition of powers with the goal of undermining American power. In responding to threats unilaterally, the U.S. misses the opportunity to build coalitions in support of U.S. foreign policy goals and perceptions of American goodwill. Certainly, to build coalitions is difficult and time-intensive – but without them, the U.S. will be threatened by other countries' unwillingness to follow the American lead when the U.S. needs help.

Think, for example, of the United States' vital interest in preventing the proliferation of weapons of mass destruction. In the short-term, the United States can likely accomplish more through unilateral interdiction than it could by attempting to assemble a multilateral coalition against proliferation. In the long-term, though, it seems wiser to persuade the international community that 1) proliferation is a significant problem vitally threatening all states, and 2)

specifically, the international community ought to bring X and Y elements of its power to bear against states that continue to proliferate.

The U.S. will see its interests as best served in the long-term by multilateral sharing of U.S. policy goals such as nonproliferation. To do so, it must expand its perception of U.S. interests beyond the national and beyond the short-term.

Focusing on "national interests" increases the likelihood of zero-sum outcomes and potential threats.

"National interests" thinking emphasizes threats more than opportunities; the Commission on National Interests is "preventing" and "ensuring" rather than "promoting" and "encouraging."

Because it is essentially defensive (threat-minimizing) rather than offensive (opportunity-maximizing), the Commission implicitly emphasizes defense policy. Defense, by its definition, is opposition to others' goal. When others' goals are in direct opposition to American objectives, it is important to oppose them – for example, if India chose to invade Pakistan.

But there are also times when defense might be better subordinated to diplomacy. For example, ending surveillance flights along the Chinese coast could reap great diplomatic benefits, and would not be difficult to restart if adequate benefits were not forthcoming. The opportunities inherent in cooperation are often subordinated to the "national interest."

This is the case, as well, for the International Criminal Court. Instead of participating in the development of the court's rules, procedures and precedents, it is U.S. policy to refuse to participate. The unfortunate result will not only be the creation of a regime of laws in which the U.S. has no say, but the frustration of the international community and the undermining of other efforts at international justice, such as war crimes tribunals.

The newfound rhetoric placing all U.S. foreign policy goals in a hierarchy of national interests is profoundly limiting. We must expand its conception and implementation to effectively make U.S. foreign policy in a world that is no longer adequately described by realism, but is characterized by cooperation and competition.

Balancing Cooperation and Competition

Liberal theories of international relations are insufficient to policy-makers because they have yet to spawn a theory of action. They describe increased interconnectivity between individuals the world over, the diffusion of power from states to sub- and supra-state groups, and economic linkages between citizens of nearly every state in the international system, but, beyond generally viewing such changes as reducing interstate and intergroup conflict, they do not offer a theory of action to guide states in their responses to relationships where interconnectivity does not trump conflict.

As a result, policy-makers fall back on *realpolitik*. Realism provides an easily understood intellectual construct centuries in the making – and those who believe that the world is different in 2001 than it was in 431 B.C., much less 1980, have not yet countered with a pragmatic, but forward-looking, guide to action in this new world.

It is, after all, difficult to describe a world in which conflict and cooperation coexist. Furthermore, the results of counting on cooperation as conflict emerges are catastrophic; in the worst case, the country emphasizing cooperation is caught unprepared and destroyed. The result of favoring preparation over cooperation as conflict emerges is not so damaging. In fact, preparing for conflict may deter catastrophic outcomes.

The problem, though, is that to continue to plan for theoretically inevitable conflict makes conflict more likely in the short- and long-term. If breaking down the security dilemma requires cooperation, the leading prerequisite for systemic change is international trust. And who can truly trust a competitor who is hedging his bets by maintaining high levels of military spending or readiness, or by consciously and consistently circumventing multilateral institutions by striking out alone?

As a self-serving and self-reinforcing theory of action, *realpolitik* nips trust in the bud. At the other end of the spectrum, though, it seems equally misleading to argue that interconnectivity now makes conflict impossible.

Theorists got it wrong once – war was supposedly impossible before 1914. World government is undesirable, the United Nations is not equipped to be the arbiter of international peace and prosperity, and increased trade and social connectivity does not eliminate real differences between different societies and their governments.³⁹ What a theory of foreign policy for liberal internationalists must describe is not the “end of history” or peace in our time, but a stable international security landscape in which cooperative work is accomplished that parallels the non-zero sum work done in our econo-, politico- and socio-scapes. States and non-governmental organizations do such work every day, but our theory has yet to account for it. The United States, for example, sponsors the Cooperative Threat Reduction program, which pays for scientists in the former Soviet Union to continue scientific exploration and discovery that would otherwise be impossible in Soviet-successor states, while making the United States safer from the potential violent applications of these scientists’ knowledge. The science developed by these scientists may pose a threat someday to the U.S. However, it is much more likely that their contact with the U.S. will decrease their impulse to create such threats.

Preventive Defense & Persuasive Activist Multilateral Diplomacy

Some writers have attempted to bring the gap between conflict and cooperation in their work on U.S. foreign policy. Former Clinton-era defense officials Ashton B. Carter and William J. Perry did so as they outlined their vision for post-Cold War U.S. national security policy in their *Preventive Defense: A New Security Strategy for America*.⁴⁰ As they note, the most important “goals are

to keep [the five greatest] dangers [to the U.S.] from becoming major threats.”⁴¹ This sounds more like a realist argument, and it is. However, in their implementation of preventive defense, Carter and Perry emphasize preventive means that bridge the gap between cooperation and competition – most of which, notably, are diplomatic.

Preventive defense is a necessary but not sufficient element of 21st Century U.S. foreign policy. Carter and Perry’s work while in office included the implementation of the Cooperative Threat Reduction program and the successful denuclearization of Ukraine. Both initiatives provided benefits to the countries involved, while increasing American security. Their orientation is not entirely realist, nor entirely liberal.

Yet, Carter and Perry do not go far enough – perhaps because the scope of *Preventive Defense* is limited to security policy. The U.S. must reinforce its security architecture by using all of the tools of its power – including persuasive activist multilateral diplomacy. It is important not only to denuclearize countries where possible, but also to persuade other countries not to proliferate, not to provide other countries the means to attack others with weapons of mass destruction, and to eventually decrease their arsenals.

Accomplishing these goals would not only require the principles of preventive defense, but also the principles of a new American diplomacy – one that is persuasive, activist and multilateral in nature.

Persuasive diplomacy has two elements. One is a diplomacy of norms. This does not mean that the U.S. should attempt to spread “American values” across the globe, as this is rarely appreciated. What it does mean is that the U.S. should seek global or near-global consensus, an intersubjective understanding, that proliferation is against international norms, and should persuade the international community to define its level of commitment to nonproliferation. The second element is leadership by example. In the case of nonproliferation, the U.S. might decrease its nuclear arsenal, which it has promised to eliminate under Article VI of the Nonproliferation Treaty.⁴²

As it is on proliferation, it should be on other issues. The world sees economic engagement of China as a benefit both to the world and to Chinese society – as witnessed by China’s recent entry into the World Trade Organization. The U.S. should be making an international case for the benefits of political and security engagement.

Active diplomacy is important, as well. The U.S. must actively use the non-military elements of its national power, including its economic power, to expand the belief that American power is good not just for the U.S., but for the world.

An example of the inadequacy of contemporary American diplomacy has been its woeful inaction in countering the spread of HIV/AIDS in Africa. African countries’ horrifying experience with HIV/AIDS poses no security threat to the United States, and has, therefore, failed to make a strong showing on policy-maker agendas. Again, an opportunity is missed – in this case, to provide leadership where there is a vacuum, and to give content to American ambitions toward global leadership.

Finally, U.S. foreign policy interventions should be multilateral if at all possible. The U.S. could bring more resources to bear on more countries if it acted in consultation and cooperation with its allies. The American tendency to act alone now will threaten its ability to build coalitions in the future.

U.S. Foreign-policy Design in the 21st Century – Same Framework, Different Priorities

How can we design policies to give these abstract goals real-world content? To ensure policy consistency, policy-makers often use frameworks to construct policy in an efficient and consistent manner.

One such framework was developed by Robert Blackwill and Philip Zelikow. In his article on “Foreign Policy Engineering,” Zelikow offers the following “policy engineering stream,” with some additions by Blackwill:⁴³

- Core national values
- National interest
- Objectives
- Threat Assessment
- Strategy
- Design
- Implementation
- Maintenance
- Review

The Blackwill and Zelikow framework is said to be ideologically neutral, but its reliance on reductionist and threat-derived national interests combined with its application by policy-makers concerned with the short-term, leads to a framework that favors realist worldviews over liberal ones. However, by altering or adding a caveat to each of the first six steps we can effectively create policy that no longer slouches toward realism. In effect, we will have taken the first steps toward a liberal theory of action in U.S. foreign policy.

The United States’ core national values must incorporate global values.

American power cannot be secured only by peace and prosperity at home – it relies on the expansion of democracy, peace and the benefits of economic growth around the world. Central to the development of these global goods are global norms that further these, as well as more specific American foreign policy goals.

The United States can’t expect the norms it favors - stands against the proliferation of weapons of mass destruction, the illegitimate use of force in international relations, or the harboring of terrorists - to gain acceptance without active American involvement in the multilateral discussions that could make them into global norms. Notably, active American involvement requires multilateral

dialogue; not only American persuasion, but also American absorption of others' norms.

It must be a vital U.S. national interest to maximize soft power as well as hard power.

"Soft" power is persuasive power – "the ability to set the political agenda in a way that shapes the preferences of others."⁴⁴ American culture is remarkably successful in cultural agenda-setting (for example, deciding what is "cool" and what is not). American foreign policy does not enjoy the same global preeminence – but should use its activities abroad to reverse this trend.

Again, doing so will necessarily involve compromise and collaboration with other powers. It will also involve foreign policy interventions on behalf of causes that may be clearly outside the U.S. national interest, traditionally defined. Halting the spread of HIV/AIDS in sub-Saharan Africa may be a good opportunity to maximize soft power, for example.

The United States must always develop a five-, 10-, and 25-year operation objective for its foreign policy interventions.

Such explicit planning will undermine short-term thinking and increase the U.S. government's competence in long-term planning. Also, because a decade and a quarter-century greatly exceed the time horizon for most military foreign policy interventions, such planning will necessitate thought on non-military means of U.S. foreign policy intervention that can build on, or in some cases replace, military intervention.

The United States must search for foreign policy opportunities much more often, deemphasizing its threat assessments.

While the U.S. searches out the next major threat, and by implication its successor-enemy, American policy-makers neglect the possibilities of opportunity maximization. With the collapse of the Warsaw Pact, for example, the United States moved to expand NATO to fill an illusory strategic vacuum between Germany and Russia. Rather than anger Russian foreign policy elites with such an expansion - as well as having to choose in the future between alienating aspiring Eastern European members and another round of perceived antagonism toward the Russians - the U.S. should have attempted to build a new European security architecture.

U.S. foreign policy strategies must always incorporate a strong public diplomacy.

The U.S. must do better in both communicating its opposition to certain state behaviors and explaining its convergence or divergence from the international community's standards. President George W. Bush's "axis of evil" speech, for example, had little positive resonance abroad. Presidential and other

diplomatic messages ought to be carefully constructed to support the U.S. national interest of maximizing American soft power.

The U.S. must be more willing to use all of the elements of its national power, including its economic resources, as it designs its international interventions.

The United States uses a particularly small amount of its available resources on international affairs. It is time to expand the amount of money the federal government spends on development assistance and other forms of economic aid.

Perhaps the most successful of the post-World War II activities of the U.S. government was the Marshall Plan, which both played a large role in rebuilding Europe and in fueling economic growth at home. Such cooperative economic ventures are possible today in much of the developing world.

Conclusions

The current U.S. foreign policy posture is threat-based and essentially defensive. As a result, it is inconsistent with American foreign policy goals of fostering a peaceful, stable world, global democratization, and worldwide economic expansion, which would require persuasive, active, and multilateral U.S. foreign policy involvement. As long as the United States maintains a defensive foreign policy posture, threats and opposition to American power will increase; the United States' ability to defend itself, its interests and the interests of humanity will suffer; and resistance to the expansion of American policy goals will spread.

The United States is particularly ill-prepared to change its foreign policy posture because of the lack of an international relations theory that adequately describes the post-Cold War world. To provide an appropriate framework for action, we must recognize the shortcomings of the theories we have and correct our frameworks to account for their biases.

This mismatch of theory and reality disproportionately affects the United States. States with less power are currently relying on the development of an international community to bolster their strengths and to better define the rules under which states at all levels of relative power are expected to play. These weaker states, therefore, can generally rely on liberal theories of international relations to inform their actions. The United States—one of the few states in today's international system with the power and willingness to act alone—is therefore one of the few states caught between realism and liberalism.

To remain within the internationally accepted bounds of state behavior while defending itself from pervasive threats, the United States must develop an alternative to its current reliance on either old theory or no theory at all. In altering or adding a caveat to each of the first six steps of the Blackwill and Zelikow framework, crafters of U.S. foreign policy can responsibly create policy that balances cooperation and competition.

¹ Intersubjectivity describes the mechanism by which shared beliefs become “reality” by virtue of the simultaneity of their perceived validity in relevant actors’ minds. Writes Robert Cox: “[r]eality is made by the collective responses of people to the conditions of their existence. Intersubjectively shared experience reproduces reality in the form of continuing institutions and practices.” Cox, Robert, “Critical Political Economy,” in Hettne, Björn, ed. *International Political Economy: Understanding Global Disorder*. Atlantic Highland, NJ: Zed Books, 1995, pg. 35.

² Then-policy adviser to candidate George W. Bush, and current National Security Adviser Condoleezza Rice wrote in early 2000: “The Clinton administration’s approach has its advantages: If priorities and intent are not clear, they cannot be criticized. But there is a high price to pay for this approach. In a democracy as pluralistic as ours, the absence of an articulated ‘national interest’ either produces a fertile ground for those wishing to withdraw from the world or creates a vacuum to be filled by parochial groups and transitory pressures.” Rice, Condoleezza. “Promoting the National Interest,” *Foreign Affairs*, January/February 2000, pg. 46.

³ Talbott, Strobe. “Democracy and the National Interest,” *Foreign Affairs*, November/December 1996, pg. 50.

⁴ Ibid., pg. 50.

⁵ President William J. Clinton, Remarks by the President at the Commemoration of the 50th Anniversary of the World Trade Organization, Palais des Nations, Geneva, Switzerland, May 18, 1998.

⁶ Ibid.

⁷ Frankel, Jeffrey, “Globalization of the Economy,” in Nye, Joseph S., and Donahue, John D. *Governance in a Globalizing World*. Cambridge, MA: Visions of Governance for the 21st Century, 2000, pg. 46.

⁸ President William J. Clinton, Remarks by the President at the Commemoration of the 50th Anniversary of the World Trade Organization, Palais des Nations, Geneva, Switzerland, May 18, 1998.

⁹ Nye, Joseph S., Jr. *The Paradox of American Power: Why the World’s Only Superpower Can’t Go It Alone*. New York: Oxford University Press, 2002, pg. 48.

¹⁰ Rosenau, James N. *Turbulence in World Politics: A Theory of Change and Continuity*. Princeton, N.J.: Princeton University Press, 1990, pg. 335.

¹¹ Rosenau makes a similar point in Ibid., pp. 340-348.

¹² Strange, Susan. *The Retreat of the State: The Diffusion of Power in the World Economy*. New York: Cambridge University Press, 1996, pg. 100.

¹³ Appadurai, Arjun. *Modernity at Large: Cultural Dimensions of Globalization*. Minneapolis, MN: University of Minnesota Press, 1996, pg. 37.

¹⁴ Wright, Robert, “Pax Kapital,” in “Naming a New Era,” *Foreign Policy*, Summer 2000, pg. 68.

¹⁵ Mathews, Jessica T. “Power Shift,” *Foreign Affairs*, January/February 1997, pg. 50.

- ¹⁶ Gaddis, John Lewis. "International Relations Theory and the End of the World War," *International Security*, Winter 1992/93, pg. 5.
- ¹⁷ Rosenau, James N. and Durfee, Mary. *Thinking Theory Thoroughly: Coherent Approaches to an Incoherent World*. Boulder, Colo.: Westview Press, 1995, pg. 29.
- ¹⁸ Nye, Joseph S., Jr. *Understanding International Conflicts: An Introduction to Theory and History*. New York: HarperCollins, 1993, pg. 4.
- ¹⁹ Burton, John, in *The Study of World Society: A London Perspective*, quoted in Vasquez, John A., ed. *Classics of International Relations*. Upper Saddle River, N.J.: Prentice Hall, 3rd ed., 1996, pg. 109.
- ²⁰ For all but the latest incident, see Lampton, David M. *Same Bed, Different Dreams: Managing U.S.-China Relations, 1989-2000*. Berkeley, CA: University of California Press, 2001. For the EP-3 incident, see Stumpf, Matthew Shannon. "Problems and Prospects of U.S.-China Crisis Management," *John F. Kennedy School of Government Policy Analysis Exercise*, forthcoming 2002.
- ²¹ Davies, Norman. *Europe: A History*. New York: HarperPerennial, 1996, pg. 925; Keegan, John. *The First World War*. New York: Alfred A. Knopf, 1999, pg. 423.
- ²² Mearsheimer, John. *The Tragedy of Great Power Politics*. New York: W.W. Norton & Company, 2001, pg. 33.
- ²³ Kennedy, Paul. *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500 to 2000*. New York: Random House, 1988, pp. xv-xvi.
- ²⁴ Herotodus. *The Histories*. New York: Penguin Books, revised 1996, pg. 5.
- ²⁵ The phrase usually used here is "peer competitor," but Thomas Christensen ably makes the point that China, for example, does not need to attempt parity to threaten U.S. power. See Christensen, Thomas. "Posing Problems Without Catching Up," *International Security*, Spring 2001, pp. 1-36.
- ²⁶ For the short version of this story, see Nye, Joseph S., Jr. *Understanding International Conflicts: An Introduction to Theory and History*. New York: HarperCollins, 1993, pp. 8-16; for the longer version, see Strassler, Robert B., ed. *The Landmark Thucydides: A Comprehensive Guide to "The Peloponnesian War"*. New York: Touchstone Books, 1998.
- ²⁷ *Beginning the Journey: China, the United States and the WTO*, Report of an Independent Task Force Sponsored by the Council on Foreign Relations. New York: Council on Foreign Relations, 2001, pg. 30.
- ²⁸ Rosecrance, Richard. *The Rise of the Virtual State: Wealth and Power in the Coming Century*. New York: Basic Books, 1999, pg. 4.
- ²⁹ Thomas Friedman argues that "[n]o two countries that both had McDonald's had fought a war against each other since each got its McDonald's," (though there was a McDonald's in Belgrade when the war over Kosovo began), while a Columbia University study found that while the expansion of democracy may decrease the likelihood of violent interstate conflict in the long-term, in the first

ten years of "democratization, countries become more aggressive and war-prone, not less, and they do fight wars with democratic states." See Friedman, Thomas L. *The Lexus and the Olive Tree: Understanding Globalization*. New York: Farrar, Straus and Giroux, 1999, pg. 195, and Mansfield, Edward D., and Snyder, Jack. "Democratization and War," *Foreign Affairs*, May/June 1995, pg. 79.

³⁰ See Goldgeier, James M. "NATO Expansion: The Anatomy of a Decision." *Washington Quarterly*, Winter 1998.

³¹ Nye, Joseph S., Jr. *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone*. New York: Oxford University Press, 2002, pg. 41.

³² In the long-term, a liberal policy recommendation would be to strengthen multilateral institutions like the United Nations, with the eventual goal of eliminating anarchy by providing an arbiter of last resort.

³³ Republican candidate for President George W. Bush, California, March 6, 2002, available on-line at <http://www.foreignpolicy2000.org/library/index.html>.

³⁴ Bernstein, Richard, and Munro, Ross H. "The Coming Conflict with America," *Foreign Affairs*, March/April 1997, pp. 21-22.

³⁵ *Ibid.*, pg. 31.

³⁶ See Gaddis, John Lewis. *We Now Know: Rethinking Cold War History*. New York: Oxford University Press, 1998, pp. 88-89.

³⁷ The Commission on American's National Interests. *America's National Interests*. Cambridge, MA: Belfer Center for Science and International Affairs, 2000, pg. 3.

³⁸ Lloyd Axworthy quoted in Nye, Joseph S., Jr. *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone*. New York: Oxford University Press, 2002, pg. 155. Also see footnote 36, pg. 204.

³⁹ Robert Jackson correctly points out that "human beings have never enjoyed much of the good life unless they have successfully fashioned states to deliver the goods. Of course, it goes without saying that human life inside states and between states has always involved trials and tribulations, not the least of which have been terrible wars. But human life outside the states has statistically been shorter and poor, and usually it has also been nastier and more brutish." Jackson, Robert H., "International Community Beyond the Cold War," in Lyons, Gene M. and Mastanduno, Michael, eds. *Beyond Westphalia?: State Sovereignty and International Intervention*. Baltimore, Maryland: The Johns Hopkins University Press, 1995, pg. 63. It is doubtful that world government could provide for the diverse needs of different societies in as effective a way as many states. Imagine an international educational system, for example. Still, though, some measure of world governance adjudicating interstate conflict would lessen the anarchy that makes realists judge the international system a self-help system.

⁴⁰ Full disclosure: the author is a research assistant for the Preventive Defense Project's China-related studies. The opinions expressed in this article are not necessarily those of the Preventive Defense Project.

⁴¹ Carter, Ashton B. and Perry, William J. *Preventive Defense: A New Security Strategy for America*. Washington, D.C.: Brookings Institution Press, 1999, pg. 14. The five "A-list" dangers they identify are a "Weimar" Russia, "loose nukes," the proliferation of weapons of mass destruction, a rising China and catastrophic terrorism.

⁴² Article VI of the Nonproliferation Treaty says that "[e]ach of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control. See the Federation of American Scientists. "Non Proliferation Treaty Text," at <http://www.fas.org/nuke/control/npt/text/npt2.htm>.

⁴³ Blackwill later added "opportunity assessment" to "threat assessment," but it is nowhere in evidence in the article in which he developed these other items. See Blackwill, Robert D. "A Taxonomy for Defining U.S. National Security Interests in the 1990s and Beyond," in Weidenfeld, Werner and Janning, Josef, eds. *Europe in Global Change: Strategies and Options for Europe*. Gütersloh, Germany: Bertelsmann Foundation Publishers, 1993, pp. 100-112.

⁴⁴ Nye, Joseph S., Jr. *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone*. New York: Oxford University Press, 2002, pg. 9.

RUSSIA AND NATO ENLARGEMENT: THE VIEW FROM IRAN

JIN PAK

Scenario planning is an analytical framework designed to assist in the identification of robust strategic actions that maximize potential benefits while minimizing potential risks. By imagining disparate futures, policymakers can more easily see the strengths and weaknesses of various policy alternatives. A powerful tool for managing uncertainty, scenario planning is often used among management consultants. But the same methodology can help to identify emerging challenges to international security.

This paper uses a scenario analytic framework to study the possible effects of NATO enlargement on the Caspian Sea region. It analyzes this question from the Iranian point of view, taking into account Russia's declining influence. Based on an analysis of driving forces and critical uncertainties, four scenarios present themselves which shed light on the region's possible future.

Problem Summary

The fall of the Soviet Union in 1991 and Russia's subsequent attempts at political and economic reform have provided a backdrop for the enlargement of NATO's scope, power, and influence. During the 1990s, Russia faced the dilemma of maintaining its hegemony, increasing its economic power, and containing NATO. But the attacks of September 11, 2001 in New York City and Washington D.C. may have changed Russia's outlook towards the defense alliance it has long feared. For Iran, this presents a problem with immediate effects.

The end of the cold war ushered in a new era in which Russia has suffered from an identity crisis. It still has a nuclear arsenal large enough to maintain its superpower status, but its economic and political troubles have rendered it powerless to influence even the former Soviet Republics with whom it shares its border. The current economic quagmire that Russia faces is due to many factors, including:

- "Shock Therapy" reforms it underwent under U.S. advice immediately following the disintegration of the Soviet Union. In hindsight, many experts agree that incremental reform measures would have served Russia better.
- Inefficient raising of tax revenue, which in turn led to large budget deficits. This forced the government to devalue its currency in 1998 and default on its debts. Russia's total international debt rose to a level it could not afford.
- Large capital outflows that deter western investments. Too often aid money is siphoned off to a group of powerful oligarchs.

Realizing that Russia must improve its economy in order to regain prominence, President Vladimir Putin named economic progress as a top priority during his inauguration speech. Furthermore, he recently selected Mikhail Kasyanov, whose background lies in the field of economics and finance, as prime minister. Western governments responded well to this choice, and Kasyanov was immediately successful in eliminating half of Russia's outstanding IMF debt. Thus, it is presumed that Russia will continue to make economic reform a top priority and will cooperate with the West towards that end. But it remains unclear if Russia will make any significant economic progress over the next two years. While it is true that the country is experiencing a modest recovery, most of this boost is due to increasing oil prices, and not any real market reform.

Yet, in non-economic issues such as NATO enlargement, it is unclear whether Russia will adopt a similarly pro-West policy. Until recently, Russia has regarded NATO as an organization bent on containing Russian influence. Many recent events contributed to this view, including:

- In 1998, NATO and its allies mounted a prolonged bombing campaign against Serbia, a close Russian ally. Russia was powerless to prevent this from occurring.
- In 1995, NATO decided to reverse an earlier decision not to enlist new members.
- In 1999, NATO admitted three nations which had once fallen under Soviet influence: Poland, Hungary, and the Czech Republic. In response, Russia decided to revoke its no first strike policy on nuclear weapons, and embarked on a 15 year military modernization plan.

All these events have reinforced Russian anti-NATO views. But the events of September 11th have created an unprecedented global environment of empathy towards the U.S. In light of this, President Putin recently decided to support America's war in Afghanistan, and to re-examine Russia's current policy on NATO enlargement. During a trip to Brussels after September 11th, he stated that Russia may become more tolerant of future NATO expansion. Indeed, President Putin may have pragmatically decided that cooperating with the U.S. and NATO is in Russia's national interests.

However, Russian policy is influenced by China's dramatic growth. With an annual GDP growth of over 7%, the world's largest market, an extensive border with Russia, and the world's largest Army, China is a force that Russia cannot ignore. Events prior to September 11th, such as Putin's tour of China, indicated that Russia fully realizes this fact. It is presumed that Russia will continue its efforts to maintain a good relationship with China, a country which is strongly against NATO expansion. Thus, it is unclear whether Russia will adopt a policy of Atlanticism (pro-West) or Eurasianism (pro-East).

Significance to Tehran

Iran's primary issue and concern is the nature of Russia's reaction to NATO enlargement, and its consequent effects on Iran-Russia relations and regional stability in the Caspian Region. It is presumed that NATO will continue its efforts to stop Russia from selling arms to Iran and expanding further into former Soviet republics, possibly in the Caspian Region. Should Russia adopt an Atlanticism approach and tolerate NATO expansion efforts, it would have a negative impact on Iran-Russia relations and would become a significant destabilizing factor in the Caspian Region. Russia and Iran currently share a mutually beneficial relationship through arms sales, the sharing of nuclear technology, and a common support of anti-Taliban efforts. However, this has not always been the case.

It appeared that Russia would have much to gain from the fall of the Shah in 1979. But relations between Iran and Russia deteriorated when the Khomeini regime dissolved the Moscow-influenced Tudeh Party in 1983 and the Soviet Union supplied arms to Iran's enemy during the 1980-88 Iran-Iraq War. Iran responded by supporting Muslim rebels fighting against the Soviet occupation of Afghanistan from 1979 to 1989.

The fall of the Soviet Union coincided with a thawing of Iran-Russia relations, prompted by Iranian President Ali Akbar Hashemi-Rafsanjani's visit to Moscow during June, 1989. This visit resulted in a Russian commitment to sell arms and nuclear technology to Iran. In addition to receiving hard currency from Iran in these arms sales, Russia also gained an ally in its territorial disputes in the Caspian Sea. Russia and Iran claim that the body of water should be treated as a lake and not a sea; a sea would give more territorial rights to Azerbaijan and Kazakhstan. The dispute is especially important to the region because of the projected 70 to 200 billion tons of oil believed to lie underneath the Caspian Sea.¹

Currently, Azerbaijan and Kazakhstan have contractual partnerships with Western oil companies such as BP and have expressed a desire to join NATO. It is unclear how NATO will react and whether Iran will take proactive steps to prevent that from happening. Indeed, recent events imply that Iran would take extreme measures. In June, 2001, in response to a joint oil drilling effort between BP and Azerbaijan, Iran mobilized troops along the Azerbaijan border and sent military aircraft through its airspace.² Russia has also shown its resolve in this matter by conducting live ammunition naval exercises on the Caspian Sea.

Iran's preferred outcome is that Russia tries to contain NATO enlargement and adopt a more Eurasian foreign policy doctrine. Russia's preferred outcome is an increase in power and influence through economic and political means. Cooperation with NATO may or may not help in this purpose.

Driving Factors

Political Issues

Since the fall of the Soviet Union, Russia has experienced a decline in political influence. To reverse this course, President Putin will need to decide whether to maintain its tolerance of NATO in order to bargain for other Russian national interests, or to contain NATO influence by working with other superpowers such as China. The former Soviet republics, encouraged by the power vacuum created by a declining Russian hegemony, are also important factors; Azerbaijan and Kazakhstan have indicated a desire to join NATO. Such developments have driven Russia's continued efforts at political reform. In Iran, President Khatami, although seen as a moderate force in the region, is solidly against NATO or western influence in the Caspian Region. China, a country with an unusually strong central government, is expanding its influence globally and regionally. China is against NATO expansion and will presumably pressure Russia to support this view.

Economic Issues

At the national level, Russia is enjoying a modest economic recovery due to a rise in oil prices, but it is in no way permanent unless the country institutes further economic reform. Russia has been unsuccessful in reversing its deterioration of economic influence over the former Soviet republics. When Russia suddenly released price controls on its market after the fall of the Soviet Union, its economy suffered from shock. Hyperinflation resulted and ultimately caused devaluation of the ruble and default on IMF loans. The rapid pace of government privatization also had negative consequences. Corruption became rampant. A class of oligarchs emerged who illegally bribed officials with stock guarantees in return for privatization and government contracts. Without a fair and impartial court system, this sort of corruption scared away western investment, and the resulting capital outflow continues to this day. Putin has made true economic reform a top priority, and has selected a prime minister, Kasyanov, who is completely focused on it.

The economic deterioration of Russia has global effects as well. Former Soviet Republics have started to look elsewhere to attract lucrative business deals and investment. Azerbaijan's recent collaboration in the Caspian Sea with western businesses such as BP is only one such example. These economic trends create pressure for Russia to reverse its economic decline by either cooperating with the West or concentrating on eastern markets such as China.

Social Issues

The social welfare of Russia is driven by nationalism as well as economic welfare. The economic downturn in Russia has led to high unemployment, low wages, and an increase in poverty. The weak economy has

had a negative impact on Russian nationalism and the health of the Russian people. It has also fueled distrust of the federal government and the social elite. However, a recent economic recovery due to increased oil prices may drive a subsequent rise in nationalism.

Critical Uncertainties

Russia's Tolerance of NATO: range of futures

While Russia's reaction to NATO enlargement is ultimately ambiguous, its options are constrained within the next two years. Putin will have to make a decision between adopting a doctrine of Atlanticism (pro-West) in cooperation with NATO or one of Eurasianism (pro-East), concentrating on Asia. One extreme could result in strong NATO influence in the Caspian region with a resulting loss of Russian and Iranian territory rights, and with Caspian countries joining the defense alliance. Heavy mobilization and the threat of regional conflict in the area would increase dramatically. The opposite extreme could lead to a strong economic and possibly military relationship between Russia and China serving as an effective force for NATO containment. This arrangement would benefit Iran and Russia, since China is projected to become the world's largest market for energy.

Russian Economic Influence: true ambiguity

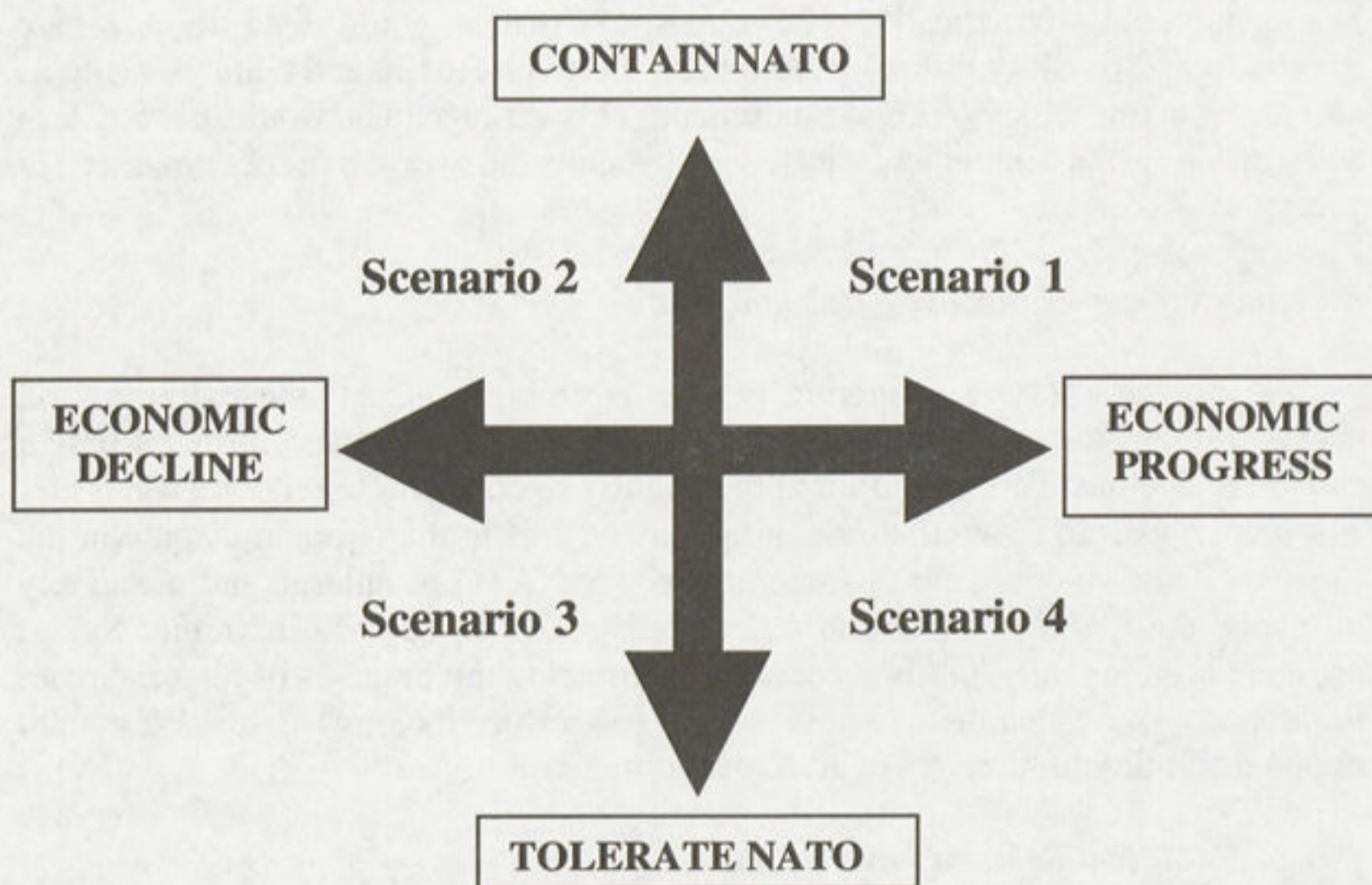
Russia's future economic picture is ambiguous. At one extreme, oil prices collapse due to an expanding war on terrorism leading to further Russian economic decline. This would force the country to concentrate on domestic issues and reduce its role in international affairs as well as in the regional dispute in the Caspian. This would create an "open door" for NATO to enlarge and negatively influence the Caspian from Iran's perspective. In the opposite extreme, Russia prospers economically and is successful at attracting the interests of former Soviet Republics. These countries would spend less effort looking to the West, and regional stability, in the eyes of Iran, would increase.

Russia's Political Reform: range of futures

While Russia is committed to political reform, the extent of these reforms is unclear for the next two years. If it remains a strong centralized government, the chances of Russia acting more decisively to counter NATO would increase. However, if Russia passes major liberalizing reforms that distribute power back to territories and provinces, Russia's foreign policy may suffer and states may vie for autonomy. This uncertainty is closely tied to the economic uncertainty facing Russia; if the country prospers, political reform would likely be more successful.

Factor	Level of Uncertainty	Extreme Outcome	Opposite Extreme
<i>Russian Tolerance of NATO</i>	Range of Futures	Tolerant, Pro-West, Very Bad for Iran	Not Tolerant, Pro-East, Good For Iran
<i>Russian Economic Influence</i>	True Ambiguity	Decline, Very Bad for Iran	Progress, Good for Iran
<i>Russian Political Reform</i>	Range of Futures	Liberalized, Bad for Iran	None, Good for Iran

Scenarios



Note: Scenarios are numbered in order of preference to Iran, with Scenario 1 most preferred.

Scenario 1: The Bear Awakens

Iran prefers this scenario because it projects a more powerful Russia with greater economic clout. Russia's improved economy reverses the current trend of former Soviet Republics looking to the West and establishes open trade partnerships which foster a regional economic bloc to rival the EU and NAFTA. Western

businesses benefit tremendously here and are sympathetic to Russia's grievances concerning NATO enlargement. Russia enters into an expanded economic partnership with the East and the Middle East. This benefits China, as it needs Russian and OPEC's energy reserves. NATO views the developments with alarm, deciding to delay expansionist plans in the Caspian. Russia convinces Azerbaijan and Kazakhstan to give up their territorial claims on the Caspian, and NATO action is neutralized by China's threat to give Russia unilateral access to its domestic markets. Iran gains from this development in the Caspian, and continues to receive Russian aid. It becomes Russia's principle agent in the Middle East.

Scenario 2: All Growl No Teeth

Russia declines economically and must resort to military saber rattling to attempt to contain NATO. As the economy worsens, nationalist movements, which view NATO as a military threat, gain strength in the Dumas. Azerbaijan and Kazakhstan continue to drill in the Caspian with western oil companies and continue to press for NATO membership. NATO announces that it will allow them to enter, and Russia responds with massive mobilizations along its Caspian and European borders. But NATO continues to court the Caspian because it views the Russian military as obsolete. Indeed, the worsening economic conditions have driven the operational strength of Russia's military to a historical low. Its equipment is out-of-date and morale is at an all-time low. Iran feels that it can no longer count on Russia as a formidable ally, and is forced to consider inciting rebellion among the large Shiite Muslim populations in the Caspian countries.

Scenario 3: The Bear Whimpers

Russia prospers economically due to a heavy increase in western aid and the passage of economic reform. This increase in prosperity also ushers in a new wave of liberalizing political reforms. However, due to NATO attacks on Kosovo, which it still remembers keenly, Russia continues to oppose NATO enlargement. While this gives the alliance pause, it does not prevent them from courting more members; Russian reliance on Western businesses and investments gives NATO powers leverage. As NATO looks to the Caspian, Iran begins planning of covert operations against western interests in the area. Without a Russian counterweight there, U.S. more openly backs Azerbaijan and Kazakhstan and consequently becomes a target for Iranian backed operations. Russia spouts rhetoric against NATO expansionism, but does nothing militarily to stop it.

Scenario 4: A Happy Bear Goes to Sleep

While this scenario is preferred by the U.S., it is the worst for Iran. Here Russia enjoys spectacular growth through increased foreign investment after the passage of economic reform and a strengthening of its court system. As the economy improves, liberal political reforms are passed, and the Russian government becomes more closely aligned with Western ideology. More importantly, it views

NATO as a political organization and not a threatening defense alliance. Thus, it happily allows NATO to continue its encroachment, sure that it can benefit as well. The territorial dispute with Azerbaijan and Kazakhstan is resolved with the backing of NATO. Furthermore, NATO convinces Russia to discontinue its sales of arms and nuclear technology to Iran; it is able to comply because it no longer needs the funds. Iran will seek unconventional and asymmetrical means to retaliate.

¹ *The Economist*, "Storm in a Precious Teacup," Aug 2, 2001.

² *Ibid.*

**AN INTERNATIONAL THREAT WITH LOCAL CONSEQUENCES:
BIOTERRORISM AND THE INTER-GOVERNMENTAL RESPONSE
CAPACITY OF U.S. PUBLIC HEALTH DEPARTMENTS
ELIZABETH M. THOMAS**

Relatively inexpensive and simple to manufacture, biological weapons provide virtually all nations with the means to wage an event of mass destruction. Simulated exercises and the real-world tests provided by the anthrax exposures of Fall 2001 demonstrate the lack of public health capacity and infrastructure needed to handle events of this nature. Government officials are now working to improve our national response to bioevents, but such response plans cannot be developed without significant input from local communities. Efficient, timely and, ultimately, successful responses to bioterrorist attacks will only be achieved if the federal government decentralizes our response approach, basing immediate response strategies upon the frameworks and coalitions developed on-the-ground by local public health officials and state and local governments.

Introduction

In 1997, President Bill Clinton declared that bioterrorism and biological warfare were two of the greatest threats to the military and civilian populations of the United States.¹ But bioterrorism was not given the attention it deserved until the months following the terrorist attacks of September 11th, when the nation began to see its first anthrax cases in more than twenty years. The events of fall 2001 proved that America is not impervious to terrorism, and that attacks against our assets can take a variety of forms, including bioterrorism. Given the constantly changing geo-political and economic landscape of today, the threat of biowarfare is both real and immediate.

Recent rounds with the anthrax virus have shown us to be ill equipped to handle events of this nature – even on a small scale. Our public health infrastructure cannot meet the demands that a biological attack would place upon it. Further, public health departments do not possess the resources—knowledge, financial, manpower, and otherwise—needed to respond effectively. According to the American Public Health Association, decades of dramatically underfunding our public health system has resulted in a reduced capacity for our local and state public health departments. Without adequate resources at the local level, containment efforts in the event of a major bioterrorist attack will not succeed – regardless of the biowarfare response mechanisms existing at a federal level.

With the Administration tasking the newly created Office of Homeland Security with coordinating a national response plan for bioterrorism, we know that our federal response mechanisms to such attacks will be strengthened. But basing our national response strategy, especially the initial stages, entirely upon federal action will result in a wholly flawed, and very fatal, plan. Federal oversight and involvement in the wake of such an attack will certainly be critical. But it will be the ability of this administration to decentralize our response to bioterrorism—giving local and state departments of public health the resources, education,

technology and flexibility needed to detect and begin responding to such an attack—that will determine our ability to limit the scope of any biological attack.

The Threat

Defined as potentially deadly germs released intentionally to harm people,² the use of biological agents for warfare purposes was first prohibited by the 1925 Geneva Protocol. Since that time, various international bodies and alliances, including the United Nations, have attempted to regulate the creation and usage of biologics. Prior agreements, however, have been non-binding, and there has been great difficulty in securing the participation of both rogue states and superpowers in an international ban against bioweapons research, development and testing.³

The Central Intelligence Agency estimates that at least twelve countries are currently capable of producing such agents, but many more nations may be actively developing the capacity to do so.⁴ Our knowledge in this area is limited, in part because of the nature of bioweapons. In contrast to nuclear weapons, the technology needed to manufacture biological weapons is easily transported and hidden, as well as easily purchased and relatively inexpensive.⁵ Further, the knowledge needed to develop bioweapons is widely accessible. For these reasons, both nations and individuals have been able to produce a variety of bioagents without attracting world attention.⁶

The Soviet Union is perhaps the premier example of the ease with which a nation can conceal such development. Prior to the 1990s, thirty years of Soviet efforts to develop a massive offensive bioweapons program went undetected. Pursuing results on both civilian and military fronts and employing over 50,000 people, the Soviets were able to develop antibiotic-resistant strains of the plague; manufacture tons of anthrax, plague, smallpox and other agents; and manipulate viruses, enabling them to sustain various modes of delivery. Until the defection of two leading Soviet scientists, the United States had no knowledge of these activities.⁷

Individuals have also proven their ability to obtain, develop, and wield biologic agents. In 1995, a United States citizen presenting false credentials nearly obtained cultures of *plague bacillus* via Federal Express.⁸ Although the attempt was uncovered prior to the delivery of the cultures, it demonstrated the ease with which such agents can be obtained. Similarly, when the Rajneeshee religious cult unleashed *Salmonella typhimurium* into the salad bars of ten Oregon restaurants and infected over 750 people, the attack proved the potential speed and strength of a biological infection.⁹

Fortunately, these attacks in Oregon, similar to the anthrax threats of recent months, were very limited in scope and were not perpetrated with a communicable biologic. But, with bioweapons, the potential for mass devastation is always present. In 1970, the World Health Organization estimated that 50 kilograms of anthrax released upwind of a city could cause death in approximately 20 percent of the population and incapacitation in another 25 percent.¹⁰ More recent figures from the Congressional Office of Technology Assessment indicate

that 100 kilograms of anthrax released upwind of a city could cause up to three million deaths.¹¹ With incubation periods ranging from hours to weeks, early identification of and quick response to the pathogen is imperative. In all cases, outcome is highly correlated with time to intervention.¹²

Current Levels of Preparedness

Given that immediate intervention decreases cumulative deaths, it is useful to determine our current response times to such outbreaks. To that end, several branches of government have staged simulated bioattacks throughout the country. While it is impossible to replicate the element of surprise that accompanies a real attack, these simulations are designed to uncover the strengths and weaknesses of federal and local response teams. While results, to some degree, have differed depending on the site and nature of the attack, all cases have clearly shown that it will be the local public health workers who will first detect and respond to a bioterrorist event.¹³

Failure to prepare our local health professionals has yielded the results, or lack thereof, that were seen during these dry runs. Personnel shortages, evident in a 1999 simulated release of anthrax in a Wisconsin county courthouse, allowed several of those tagged as infected to escape the authorities. Despite the participation of over 200 community members and agencies, the county did not have adequate staff to respond effectively to community panic.¹⁴

A wide-scale simulation (known as TOPOFF), staged in 2000 by the U.S. Department of Justice, was designed to test the abilities of involved agencies to respond to multiple simultaneous bioterrorist events. Bioevents were staged in New Hampshire, the District of Columbia, and Colorado. Responding to the attack in Denver alone severely diminished the resources of the Centers of Disease Control (CDC), and rendered the agency incapable of assisting other states. Results indicated that in a real-world attack, containment efforts would have failed and the epidemics would have spread throughout other states.¹⁵

Most recently, in June 2001, a smallpox attack was staged in Washington, D.C. Agencies were not equipped to halt the spread of the disease and follow-up reports documented the lack of local resources to handle an attack of this magnitude. Particularly problematic was the inability of hospitals and clinics to manage sudden and dramatic increases of patients ("surge capacity"), the inability of local officials to access and distribute federal stockpiles of pharmaceuticals and vaccines, and muddled lines of communication between local care facilities, local and federal agencies, and government officials and the public. The simulation had limited success in alleviating community panic, with little to no additional resources remaining to handle the ensuing chaos.¹⁶

Most cities, however, have not had the opportunity to test the limits of their resources, leaving them unsure of their vulnerabilities and their ability to respond. The anthrax attacks in Florida, Connecticut, and Washington, D.C. have shown our limited response capacity, and they have also hinted at the costs that non-affected areas will incur. Forced to balance public fear and panic, loss of confidence in the government, and the expense involved in responding to false

alarms and hoaxes, many large non-infected cities found themselves pulled in too many directions to satisfactorily respond to the demands of their citizens. Enormous financial burdens were placed on local governments by this sudden increase in demand for services, with responses to each anthrax call costing a city between \$300 and \$1500.¹⁷

According to an informal survey conducted by the Association of States and Territorial Health Officials, each state public health department expected to spend \$1 to 5 million on anthrax-related issues in the three months following September 11th.¹⁸ New York City alone spent over eight million dollars in the two months following the September attacks to analyze possible anthrax samples and perform other public health tasks. All told, the Centers for Disease Control predicts that the states affected by the anthrax attacks will experience a two to eight percent increase in their health care costs.¹⁹ Had this been a large-scale anthrax attack, it would have cost the average city approximately \$36.4 million in vaccines and \$24.3 million in antibiotics to stage an effective three-week treatment operation.²⁰ No state health organization reported having the available resources to deal with an event of this magnitude and cost.

Need for a Stronger Public Health Infrastructure

Military bioterrorism research has found that civilian criteria for bioterrorism response capabilities have usually failed to consider how quickly the response must occur to make a difference.²¹ The U.S. Department of Defense has estimated that during the first 24 to 48 hours of a bioweapons attack, the response would rely completely on local resources.²² Furthermore, regardless of the epidemiological capacity of any one city, it is likely to be the clinicians and physicians that detect and identify the initial stages of the attack. Thus, it is alarming to note that the majority of county and city public health agencies have not devoted resources to developing bioterrorism preparedness and response plans.²³

National surveys of emergency room nurses and infection control practitioners have indicated that many medical professionals will be looking to the local public health departments for guidance and expertise in the event of a bioterrorist attack.²⁴ Data has also indicated that medical professionals may not be adequately trained in identifying anthrax, smallpox or plague infections.²⁵ Many physicians have never handled such cases, and with the manifest symptoms resembling those of the flu or the common cold, doctors and nurses might not initially think to call for tests that would uncover the presence of these pathogens.

Hospitals also fear that they will be unable to meet the demands of an increased patient load following such an attack.²⁶ These fears are not unfounded, as studies conducted as recently as January 2000 have condemned American hospitals for their inadequate preparation for a bioterrorist attack. Among the areas of highest concern are insufficient decontamination and triage facilities and poor coordination with public health agencies and emergency response personnel.²⁷ Prior to the attacks of September 11th, only 20 to 25 percent of the nation's 6,000 hospitals had declared themselves capable of handling a biological

or chemical attack. In the months following the attacks, many hospitals have begun upgrading their disaster plans, but experts agree that such plans cannot be fully operational unless they are based upon shared local, state and federal resources, and draw heavily upon the public health departments.²⁸

These factors combine to make a compelling argument for increased funding to our nation's public health infrastructure. The American Public Health Association is currently calling for an immediate allocation of one billion federal dollars to local and state public health departments, a request that was reiterated in Congressional testimony of the Director of the Centers for Disease Control and Prevention and the Director of the National Institute for Allergy and Infectious Diseases. These funds would enable our local and state public health officials to increase both their on-hand resources and their response capacities.²⁹

But funding alone will not prepare our cities for potential biohazards. A 1999 survey by the National Association of County and City Health Officials found that only twenty-four percent of the responding local health officials reported that their county's disaster plan addressed bioterrorist attacks.³⁰ Simulations have demonstrated that even those cities with bioterrorist response plans are overwhelmed by the volume and diversity of services demanded. Those without such plans will be wholly unprepared to handle a biological crisis, endangering, at a minimum, all surrounding areas.³¹ For these reasons, federal and local officials must share the responsibility of developing response plans that follow the broad federal guidelines established by the CDC, but have the flexibility necessary to account for the demographics and geography of individual cities.

Local Responsibility

Given that federal resources may not be available until after the first 48 hours of a bioattack, local response plans may need to focus upon the period that city public health departments and governments will be operating without federal assistance. To that end, local efforts should focus upon improving the ability to quickly detect exposure to a bioagent and to manage citizen concern and panic. There should be a minimum of four components to any such local plan: education and training of medical professionals; development of an immediate response plan addressing the logistics of care; development of a communication strategy between local/state and federal agencies, as well as local officials and the public; and formation of a small committee tasked with the bulk of decision-making during a bioattack.

Education and Training

In advance of any bioterrorist threat or attack, cities should begin to train their medical and public health professionals about the pathogens that represent the greatest bioweapons threats – currently, anthrax, smallpox, and plague. Education should include the symptoms and patterns of manifestation for each bioagent, as well as the treatments of each, and any special considerations that

officials should be aware of: level of contagion, manner of transmission, protective measures caregivers should employ. Training should provide information regarding the local facilities, equipment, and resources that will be available during a bioterrorist event, including where they are located and how they are operated. Further, it is vital that all health professionals have clear knowledge of the steps to take in reporting, to both state and federal officials, potential exposure to a bioagent.

Education for public health officials has been touted as a necessity by medical and government professionals and will continue to be a key component of a local response to a bioterrorist event. In fact, one of the primary reasons that local officials were able to quickly and correctly identify anthrax as the cause of the Florida infections was the training that public health professionals had recently experienced. As attendees at a recent CDC-sponsored conference regarding the symptoms and treatments of various bioagents, officials possessed the knowledge necessary to detect the disease and report it through the appropriate channels. Education of this nature for public health officials nationwide would place all cities at a higher level of awareness and all citizens at a higher level of safety.

Immediate Response Logistics

Ensuring that there are enough medical professionals to handle the influx of patients at hospitals and clinics is one of the most important factors in preparing for a bioattack. To that end, local response plans must work with area hospitals and community health facilities, identifying all medical personnel and implementing protocol necessary to contact additional staff in the event of an emergency. The availability of antibiotics and vaccines is also essential during the first 48 hours of an attack. Federal stockpiles of a variety of medications are strategically placed throughout the United States;³² local plans must identify the location of such resources and plan their transport to infected areas.

An additional concern of local public health officials and law enforcement agents will be identifying where and how the bioagent was released. Resources must be devoted to finding the source of the exposure, as well as those responsible for its procurement and release. Quick detection of "Ground Zero" will greatly improve local containment efforts, as well as the ability of local enforcement officials and emergency medical personnel to confine the movement of those potentially exposed to the pathogen. Cities may also need to address the quality and frequency of the training for their designated biohazard response professionals.

Communication Strategy

Panic control and the distribution of vital information will be critical components of any response plan. Local public health departments must inform the community about the presence of the infection, the level of the threat, the measures being taken to secure the contaminated area, and the treatments and facilities available to those who have reason to believe that they may have been

exposed to the bioagent. It should be determined in advance who will be responsible for maintaining an open line of communication with the public and how such information will be distributed.

Another important component of a communication strategy will be the level of interaction and information exchange between the various parties. Interagency communication is vital to a response strategy, as it will ensure that the maximum available resources have been deployed to the target area and that they are being used in the most effective manner. Further, communication will facilitate a coordinated response between all parties and aid in both countering the threat and reassuring the general public as to their level of safety. Such a flow of information will be vital between local, state and federal agencies.

Decision Makers

Retrospective analysis of the series of mock bioattacks staged by the government shows that during the crises, public health officials did not make decisions quickly enough to counter the pace of the epidemic. Traditional methods of decision making, such as reliance upon discussion and consensus, were too cumbersome and confusing to yield the quick response that is needed. Local responses must be immediate, and officials must be trained to handle the severe time constraints of such an epidemic.³³

In advance of an attack, local governments must identify a small committee of people to immediately assume responsibility for coordinating the local response. Including medical, governmental and law enforcement officials, this small group should meet with all local public health departments in the state to determine the capacities of the local hospitals and law enforcement officials, and to assess the level of resources (medications, vaccines, personnel, funds) that each area would need in the event of a potential epidemic. Finally, this small committee must ensure that federal resources and personnel, once they have arrived, will be able to successfully and smoothly integrate with the local operations that will have already begun.

This committee will also need to address issues of security surrounding their community's response plan. Information regarding building security, locations of vital equipment and medicine stockpiles, as well as other data that is pertinent to an effective response must be confidential and protected from potential terrorist groups. Further, if such information is stored electronically, it must be protected from potential hackers. Database security will be an integral component of such information protection, and a plan for securing this information should be designed with the input of those who will have the most urgent need to access it in the event of an attack.

Federal Responsibility

The national response to a bioterrorist event will not begin until the state authorities have notified the Federal Bureau of Investigation (FBI) that an attack has occurred. At that point, FBI agents are deployed, as are personnel from the

CDC and the Environmental Protection Agency. Federal resources are marshaled to the area, including manpower, funding, and medical supplies and equipment. However, contingent upon local response time and competing catastrophes, this full-scale response may be almost 48 hours in arriving.³⁴

Once onsite, the FBI will assume control over the coordination of the local response. However, the manner in which federal agents will smoothly integrate into an already running on-the-ground response team has often been overlooked. In part, this is because federal and state officials frequently devise response protocols without the input of local public health officials.³⁵ Federal terrorism response plans are multi-jurisdictional, with control shared between several agencies. Local public health and medical communities are rarely integrated into the planning activities of federal law enforcement and emergency planning personnel. Often, this results in a fragmented response to a catastrophic event.

With bioterrorism, in which response time is of the essence, a disjointed response could exacerbate the event and increase the danger to both response personnel and the target community. Thus, a partnership between the federal, state and local agencies in charge of response planning would be beneficial to all parties. Rather than relying on the top-down approach that is currently the norm, agencies may wish to model their response plans after the disaster plans of the Federal Emergency Management Agency (FEMA).

FEMA has adopted a more decentralized approach to working with communities than most federal agencies, relying upon the knowledge of local personnel to guide the direction of their responses to hurricanes, tornadoes, floods, and other natural disasters. This approach was formalized in 1997, with the inception of FEMA's *Project Impact: Building Disaster Resistant Communities*. Designed to help communities prepare and protect themselves from natural disasters, Project Impact is based upon three principles: (1) preventative actions must be determined at the local level; (2) private sector participation is vital; and (3) long-term efforts and investments in prevention are essential.³⁶

Today, FEMA is working with over 250 communities to generate workable disaster and damage-reduction plans at the local level. FEMA offers knowledge and technical assistance at both national and regional levels, but the community is tasked with creating the actual plan. Communities form public-private partnerships—drawing from a variety of sectors including business, health care, transportation, infrastructure, and education—that are responsible for assessing the greatest risks and most vulnerable populations, determining what operations must continue functioning in the event of a disaster and how to ensure they will not be interrupted, and identifying the pathways by which resources and information will be exchanged between key parties during a crisis situation. Estimates indicate that for every dollar that is spent on this advance prevention planning, two dollars are saved in rebuilding costs and lost productivity.³⁷

Allowing for the significant differences between a bioterrorist attack and a natural disaster, responses will nonetheless begin at the local level. As such, the community must play a significant role in shaping a response plan. Federal agencies involved in such a response should aid communities in shaping this plan,

focusing on the 48 hours immediately following a bioattack. Further, these agencies should strive to integrate federal response efforts into on-the-ground operations as seamlessly as possible. Finally, federal agencies should recognize that open communication between local, state and national parties is a vital component of any response; the absence of such exchange will only compound the chaos following the attack.

Local Successes

In the wake of the September 11th attacks, local and state governments have increased their efforts to craft collaborative bioterrorist response plans with the federal government, local public health departments, and other involved agencies. However, there were several states taking these steps in advance of the terrorist attacks.

One example is Wisconsin, a recipient of CDC funds designated to assist the state department of public health (WDPH) in preparing for and responding to bioterrorism. WDPH is working in conjunction with the Wisconsin State Laboratory of Hygiene, the City of Milwaukee Health Department, and the University of Wisconsin-Madison Department of Information Technology. Together, these institutions are in the process of developing a rapid detection system, expanding public health laboratory diagnostic capabilities, training and educating public health workers as to the symptoms and treatment procedures for a variety of bioagents, and implementing a statewide health alert and training network.³⁸

In particular, this data network will form the basis of a rapid statewide exchange of information between all involved state and federal agencies. By keeping all involved state and local leaders abreast of any potential bioevent and by training state medical professionals about biological pathogens, Wisconsin is educating those in charge of the communication channels that the public will rely upon in the event of an attack. This will help the state respond to the public fear and panic that will be associated with the first 48 hours of a bioterrorist event.³⁹

Efforts of a different nature have been undertaken in Salt Lake City, Utah, the home of the 2002 Winter Olympics. Prior to expressing interest in hosting the 2002 Games, Salt Lake City had developed a rather extensive biological and chemical response plan due to its proximity to the Desert Chemical Depot, a federal chemical weapons repository. Unique to the Utah response plan is the extensive collaboration between the area's hospitals. Members of the public health departments, emergency services personnel, and state and federal agencies have met with local hospitals to facilitate an exchange of information and ensure that a rapid, effective response plan has been implemented and remains workable. Facilities share information about specialized medical equipment, laboratory capacity, and employee training, and they engage in biohazard and chemical weapons response drills to ensure that they are prepared to handle all aspects of the response.⁴⁰

Salt Lake City has also addressed the important issue of database security. Information about building security and technological capacity, as well

as data on steps that have been taken to strengthen the city's infrastructure in advance of a potential attack are available on websites that provide specific geographic data on a host of United States cities. However, this information is password-protected at several levels, and access to the sites is severely restricted. Ensuring the security of such websites enables Salt Lake City to keep information current and available to those who are in need of it, but protected from those who are not.

Congressional Action

The events of September 11th and the months that followed have propelled bioterrorism and our nation's response capacities to the forefront of our domestic and international agendas. In his State of the Union address, President Bush declared homeland security to be a top budget priority and called on Congress to pass his bioterrorism prevention initiatives.⁴¹ Specifically, his 2003 budget proposes \$5.9 billion for defense against biological terrorism – an increase of almost 320 percent from the 2002 level of \$1.4 billion. These funds will be used to strengthen state and local health systems, to improve federal abilities to respond in coordination with state and local governments, and to develop new vaccines, medicines, and diagnostic tests through research and development.⁴²

Congress has also been active on this issue, introducing legislation that would assist states in preparing for and responding to biological and chemical attacks. Senators Bill Frist (R-Tenn) and Ted Kennedy (D-Mass) have cosponsored a measure that would provide \$1.3 billion for the purpose of biological and chemical preparedness, prevention, and consequence management. At least \$500 million of these funds would go to hospitals to train employees and gather surveillance data. Approval of some legislation is likely. "There's consensus among our leaders that more needs to be done to prepare us for a terrorist attack," says a spokeswoman for Senator Frist's office.⁴³

Conclusions

Bioterrorism is a significant threat to our national security, but our immediate response to such an attack will be waged at a local, rather than a national, level. Community medical professionals and public health departments will be the frontline responders, and their actions will determine, in great part, the scope and severity of the bioevent. As we begin to restructure our national response plan to attacks of this nature, it will be imperative that these players receive the funds needed to strengthen infrastructure, improve capacity and train personnel. But increased funding alone will not ensure a satisfactory response to bioterrorism.

Successfully containing and minimizing the impact of a bioevent will only occur through inter-governmental cooperation. Federal agencies must work with communities and states to ensure that they are prepared to respond to the first 48 hours of an attack without federal assistance. Further, federal agencies must restructure their action plans so that they can smoothly integrate themselves into

on-the-ground operations. Preparation is critical, and with a national response plan based upon local, state and federal input, the probability that the pathogen will be contained, the infected will be tended, and the public panic will be controlled significantly increases.

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⁸ Spencer, 104-20.

⁹ Spencer, 104-20.

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¹¹ U.S. Congress Office of Technology Assessment. *Proliferation of Weapons of Mass Destruction: Assessing the Risks*. Washington, DC: US Government Printing Office; August 1993. OTA-ISC-559.

¹² Giovachino, 925-30.

¹³ O'Toole, 396-402; Fraser, M. "Bioterrorism Preparedness and Local Public Health Agencies: Building Response Capacities." *Public Health Reports*, 2000 Jul/Aug; 115(4) 326-30.

¹⁴ Glabman, 29-33.

¹⁵ Glabman, 29-33; O'Tool, 396-402.

¹⁶ Glabman, 29-33; O'Tool, 396-402.

¹⁷ Dember, A. "Fighting Terror: Infectious Agents Funding Civil Defenses; Fear, Testing Drain Heath Department Budgets." *Boston Globe*, October 23, 2001, p. A16.

¹⁸ Dember, A16.

¹⁹ Steinhauer, J. "Money and Medicine: Another Terror Victim: Health Care." *New York Times*, November 18, 2001, Section 3, p. 11.

²⁰ Versel, N. "Thinking Ahead: Public Health Officials Plan Response to Bioterrorist Threat." *Modern Physician*, November 1, 2001, p.2.

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²² Hutchinson, R. *Improving Local and State Agency Response to Terrorist Incidents Involving Biological Weapons*. US Department of Defense, US Army

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²³Fraser, "Building Response," 326-30.

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²⁶Glabman, 29-33.

²⁷Macintyre, Anthony, et al. "Weapons of Mass Destruction Events with Contaminated Casualties: Effective Planning for Health Care Facilities." *Journal of the American Medical Association*, 2000 Jan 12; 283(2) 242-51.

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**BIOTERRORISM SCIENCE & TECHNOLOGY POLICY: AN ANALYSIS
OF EXECUTIVE BRANCH DYNAMICS AND EXTERNAL
INTERACTIONS**
SHAUN HAYESLIP

Recent events, including the September 11th attacks and the anthrax scares that followed, have brought the threat of biological attack home. Despite the fact that biological weapons have been used since at least the 14th century, adequate knowledge about virulent agents and critical response protocols have not been developed. This paper analyzes the current gap in U.S. Science and Technology Policy with respect to bioterrorism, examining underlying weaknesses within the institutional framework and suggesting potential policy responses.

Introduction

On October 5, 2001, Robert Stevens, an employee of American Media Systems, Inc. in Boca Raton, Florida, was diagnosed with the first recorded case of inhalation anthrax in over 23 years. Within a month, three others were dead from infection by the bacillus and reaction to the potent toxin associated with the deadly spores. Powdered versions of the bacteria were sent to offices throughout the federal government and media outlets, including those of Senator Tom Daschle and NBC anchor Tom Brokaw.¹ Minute traces of anthrax have been detected in mail systems from Washington, D.C. to Missouri, and efforts to eradicate the virus through fumigation have been less than successful. The Hart Office Building, in which Daschle's office is located, re-opened in January 2002, almost three months after the receipt of the initial spores.²

These events have been perplexing, to say the least. Scientists have known about the biological effects of anthrax since the days of Louis Pasteur in 19th-century France, and the potential for diseases such as smallpox to decimate enemy armies has been observed since the days of Francisco Pizarro and the Spanish conquistadors. The use of biological weapons can be traced back to the Assyrian poisoning of enemy water supplies during the 6th century BC and the use of plague-ridden corpses during the 14th century.³ The characteristics and effects of these agents have been well-documented, but there are significant gaps in the body of scientific knowledge about them. In addition, prevention techniques and emergency public health protocols have failed to develop specific strategies for dealing with potential outbreaks. In a country with a strong knowledge base and substantial financial backing for basic and applied research, why have there been so many problems? And more importantly, what is the United States lacking in terms of science and technology (S&T) policy in addressing bioterrorism?

Background: Bioterrorism S&T Policy

Previous bioterrorism policies were initiated by the executive branch of the government in response to Japanese and Soviet efforts to maintain a

substantial supply of potent biological agents. Under President Nixon, the government banned the development of offensive biological weapons and restricted scientific research to purely defensive purposes.⁴ In addition, the United States signed the Biological Weapons Convention of 1972, which “undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain...(1) Microbial or biological agents, or...(2) Weapons, equipment, or means of delivery designed to use such agents.”⁵ With such broad policy doctrines in place, specific prevention and defense strategies were left to the legislative processes.

Unfortunately, the passage of legislation does not necessarily lead to the development of sound science and technology policy strategies, especially in relation to prevention and research. Few legislators have direct knowledge of the science involved, and in the event of a biological attack, there are extreme pressures of speed and safety (which may necessitate the violation of established common law principles or individual liberties) on the processes of detection and containment. Thus, “constitutional and statutory law...provide very little direct guidance on how much authority...can or should be utilized.”⁶ Without such guidance, legislation in this area frequently contains loopholes. As recently as 1989, the Biological Weapons Act “authorize[d] the government to apply for a warrant to seize any biological agent, toxin, or delivery system that has no apparent justification for peaceful purposes.”⁷ The law, however, exempted certain agents from the government regulation, which led to inconsistencies in the enforcement of the statute. In a 1998 testimony by the former attorney general before the Senate Subcommittee on Technology, Terrorism, and Government Information, Janet Reno condemned the regulation procedure, as “mere possession of a biological agent is not a crime under federal law unless there is proof of its intended use.”⁸ Such legislation raised concerns about slowing the pace of public health research without necessarily achieving the goal of deterring potential criminals.

The problems of enacting and enforcing statutes dealing with bioterrorism discussed above have led to a recent shift of policy-making responsibility back to the executive branch agencies. The Federal Bureau of Investigation has had the largest responsibilities in preventative actions and local responses, especially as the primary point of contact in local law enforcement jurisdictions. FBI Weapons of Mass Destruction (WMD) coordinators have been responsible for interacting in the field with local communities, and representatives at regional headquarters have liaised between the related agencies dealing with bioterrorist events, such as the Center for Disease Control, National Institutes of Health, and U.S. Department of Agriculture.⁹ In responding to potential terrorist actions (whether merely hoaxes or true threats), the FBI has seen a definitive spike in number of events since the September 11 acts, including those classified as involving biological agents.

Table 1: FBI Responses to Potential Terrorist Events of “Weapons of Mass Destruction” Classification¹⁰

<i>Timeframe</i>	1998	1999	2000	2001 (pre-9/11)	2001 (9/11-11/6)*
<i>WMD: All</i>	181	267	257	100	8139
<i>WMD: Biological</i>	112	187	115	67	7089

* - Also recorded were 29,331 telephone calls about “suspicious packages”.

With the threat of biological terrorism on the rise, the FBI will continue to play a primary role in future action and policy planning.

The Department of Health and Human Services (DHHS) has also played a large role in efforts to combat bioterrorism, especially in the areas of research and preparedness. By concentrating on improving the knowledge base concerning potent biological agents like anthrax and smallpox, basic research by the National Institutes of Health (NIH) and specifically the National Institute on Allergies and Infectious Diseases (NIAID) has led to procedures and medical aids necessary for recovery efforts in the event of a large-scale incident. The Center for Disease Control (CDC) also has worked under DHHS administration to establish the supply networks necessary to have the National Pharmaceutical Stockpile ready to be deployed within twelve hours of any potential outbreak.¹¹ In addition, efforts to liaise with local communities have been moderately successful due to the deployment of funds for local response plans and infrastructure. It is interesting to note that with over \$110 million specified for research efforts and an additional \$195.5 million for preparedness within the DHHS system, energies were already being devoted to the problems of bioterrorism prior to the September 11 attacks.¹²

The Office of Homeland Security: Post 9/11/01

The aftermath of September 11, 2001 and the subsequent anthrax cases throughout October and November have given a new impetus to policy concerning the scientific and technological aspects of terrorism.

In an attempt to deal with the multitude of issues surrounding the attacks, President George W. Bush chose a top-down approach in establishing the cabinet-level Office of Homeland Security (OHS). The executive order released on October 8, 2001 outlined the duties of the office and the corresponding Homeland Security Council, by which issues of national security levels of importance would be analyzed. This outline set out a number of responsibilities for the Office and the newly appointed director Tom Ridge. With respect to biological agents, there were three main directives outlined in the Executive Order, as shown in the table below.

Table 2: Obligations of the Office of Homeland Security with Respect to Chemical and Biological Weapons Threats, by Executive Order Section¹³

<i>E.O. Section</i>	<i>Obligation Imposed</i>	<i>Other Entities with Similar Duties</i>
3.c.iii	“Coordinate national efforts to ensure public health preparedness for a terrorist attack, including reviewing vaccination policies and reviewing the adequacy of and, if necessary, increasing vaccine and pharmaceutical stockpiles and hospital capacity.”	<ul style="list-style-type: none"> • State Governments • Local Governments • Department of Health and Human Services • Centers for Disease Control
3.b.i.D	“Coordinate development of monitoring protocols and equipment for use in detecting the release of biological, chemical, and radiological hazards.”	<ul style="list-style-type: none"> • Department of Health and Human Services • National Institute of Allergy and Infectious Diseases
3.f.v	“Coordinate containment and removal of biological, radiological, explosive, or other hazardous materials...”	<ul style="list-style-type: none"> • Federal Bureau of Investigation

The obligations outlined in these directives are somewhat daunting, although they are consistent with the current policies and programs of other executive agencies, as noted above. For instance, the specified role of the OHS to “coordinate national efforts to ensure public health preparedness” overlaps with emergency planning already completed by the CDC and state and local governments. The bureaucratic processes responsible for containment protocols in the FBI and the development of detection technologies in NIAID are already in place, despite the recent enactment of the OHS. It seems likely, then, that the higher executive echelons in the White House will be responsible for facilitating productive interagency interactions. One group already working towards this goal is the Technical Support Working Group, which was designed to “coordinate interagency research and development requirements across the federal government in order to prevent duplication of effort between agencies.”¹⁴ But how will the Office of Homeland Security fit in, especially with agency roles already defined? Perhaps the most pressing challenge, therefore, is the policy by which the coordination of such efforts can be achieved, especially with a broad range of agencies already working on the S&T problems at hand.

Policy Needs and Recommendations

The executive branch has made great progress in the past few years in preparing for the possibility of a bioterrorist threat. Protocols developed by the CDC and the FBI have been predominantly successful, and state and local governments have worked hard to implement plans for structured emergency responses. However, the introduction of the Office of Homeland Security threatens to upset the established delegation of roles in dealing with bioterrorism. What role will the OHS encompass when issues like the fall 2001 anthrax scare arise again, and how will the White House respond to bureaucratic conflict over the delegation of similar responsibilities?

Since the issue of bioterrorism is so multidisciplinary in nature, it is inevitable that there will be conflict between the various executive agencies. As a related example, intelligence-gathering operations in the CIA and FBI were in tension after September 11 with regard to who was responsible for the prevention of further attacks. Such tension could seriously compromise government responses to biological terrorism events, which may come without warning or sufficient notification to intelligence or law enforcement operations of local districts. The roles of each agency must be clearly defined and mutually exclusive. For example, if the Office of Homeland Security is to really serve in efforts of development, preparedness, and containment, there must be protocols established about the degree to which members of the OHS staff are involved.

In dealing with this issue, I recommend that the OHS serve as an oversight body, as agencies already in place would be allowed to build upon their existing infrastructure. An advisor position should be established to deal with the OHS's obligations in relation to bioterrorism. This advisor should have a background in both biological research and epidemiological effects on public health, and would be able to assist the OHS director and council in appropriate consultations. This position would be analogous to that of Dick Clarke, the current advisor dealing with matters of cyberterrorism, who chairs a government-wide board and "coordinat[es] protection of critical infrastructure systems."¹⁵ By appropriating funds for a similar position for bioterrorism, the White House would also be able to expand the role of scientists in the policy-making apparatus of the executive branch.

The issue of bioterrorism serves as an illustration of a much larger challenge for the current White House - the re-establishment of credibility with regard to issues of science policy. This challenge can be met by taking a more objective stance in dealing with issues of science policy like stem cell research and missile defense, and seeking out advisors able to provide impartial scientific advice. President Bush and Vice President Cheney should not only be visibly interested and engaged in the scientific debates of both the National Bioethics Council and the Homeland Security Council, but they should also be willing to consult with the scientific establishment even where scientific data runs counter to the political opinions already present. In addition, the heads of the executive branch must be available to resolve potential conflict between the executive department agencies in their different approaches to the prevention of

bioterrorism. Only by such efforts can the White House show the leadership capacity needed for a nationwide approach to bioterrorism policy.

Unfortunately, Republican policy during the Bush administration has restricted the role of science policy-makers within the executive branch. In fact, the current head of the Office of Science and Technology (OSTP), John Marburger, has seen his presidential access limited despite the pressing scientific issues at hand. There is potential within OSTP to liaise between the scientific community and government agencies, and between agencies within government, especially given its current delegation to provide aid for the technical aspects of OHS in dealing with homeland security issues.¹⁶ OSTP needs to continue to operate at full capacity and fiscal strength (despite current economic constraints) in order to provide accurate scientific information and support for future decisions of the President and his staff.

A pro-active decision to expand the role of science policy-making within the executive branch would apply most directly to DHHS, where NIAID has been extremely successful in developing new research programs to deal with potential bioterrorist agents thanks to budgetary aid. Prior to 9/11, the President had proposed a doubling of NIH monies designated for research on bioterrorism, from \$47 million in FY2001 to \$93 million in FY2002.¹⁷ However, the ramifications of the anthrax scare and the Congressional decision to pass large discretionary spending measures have been far more significant. The Public Health Security and Bioterrorism Response Act was passed on December 20, 2001 to provide \$3.2 billion for improvement of the nation's infrastructure in dealing with preparedness and pharmaceutical stockpiling, and further regulation of the appropriate possession of chemical and biological agents.¹⁸ Although legislative efforts in enacting regulation procedures have been flawed in the past, such a fiscal commitment on the part of Congress is unprecedented. It now remains the obligation of the White House and each agency throughout the executive branch to ensure that such funds are used expeditiously and efficiently.

With the need for information concerning bioterrorism agents and the recent outgrowth in biotechnology spending, one can foresee a boom in scientific knowledge in the life sciences comparable to the boom in the physical sciences during the Cold War. Fiscal support under premises of defense and the threat of competition from the Soviet Union provided a fertile background for a broad range of technological advances. Now that the funding necessary for improvement in basic research capabilities in the life sciences have been provided by Congress, the White House must continue to press scientists for the generation of quality programs and substantial results. Already, NIAID has established seven new research programs in January 2002 based on the funds provided by the Bioterrorism Response Act, as seen in the table presented below. With a show of support from the White House and the fertile research atmosphere currently in place, there is potential for an unprecedented display of quality research from the entire scientific community in aiding the development of new technologies for citizens of the United States and throughout the world.

Table 3: National Institute of Allergies and Infectious Diseases (NIAID) New Bioterrorism-Related Research Opportunities¹⁹

<i>Program</i>	<i>Purpose</i>
1. Anthrax Vaccine Contract	“accelerate development of new vaccines against the agent that causes this disease”
2. Rapid Response Grant Program for Bioterrorism-Related Research	Dispersal of basic research funds in 5-6 months (about 2/3 normal cycle)
3. Partnerships for Novel Therapeutic, Diagnostic, and Vector Control Strategies in Infectious Diseases	Build relationships between government and industry, especially for new drugs and diagnostics
4. Exploratory/Developmental Grants for New Technology Applications	“apply the latest genetic, imaging, and computer technology to currently funded research on infectious disease”
5. Small Business Program on Bioterrorism-Related Research	One-time effort to build research relationships between government and small businesses
6. U.S.-Based Collaboration on Emerging Viral and Prion Diseases	Basic research on potential new diseases
7. NIAID Investigator-Based Small Research Grants	Unexpected opportunities, time frame of two years or less

Federal Government Outreach

It is important to note that of the seven programs enacted by NIAID, two involve joint partnerships between industry research and the federal government. Such relationships, whether between government and industry, government and university research labs, or within a corporate-sponsored education program, are a growing trend in science and technology research. Often large-scale projects, like the production of an anthrax-detection system or the generation of a smallpox vaccine, cannot be accomplished by a single laboratory or even a single sector; rather, communication and financial support must be present among all three areas of development. Effective liaisons among and within the industry, government, and educational systems are essential for the efficient use of future resources and the generation of successful technological products from the basic research being completed.

As technological products useful for combating bioterrorism begin to be produced, prevention efforts must continue to target the state and local levels. As recently as February 1999, an anthrax hoax at an abortion clinic in Asheville, NC exposed a local law enforcement agency which had failed to outline the appropriate emergency management and health department contacts, and whose emergency prevention response involved sending the “anthrax” sample through the mail system to be analyzed in Ft. Detrick, MD.²⁰ While such a response to a

genuine event could have contaminated a quarter of the East Coast's mail system, statements by the president-elect of the National Association of County and City Health Officials (NACCHO) a month later were even more alarming. In testimony before the Senate Subcommittee on Public Health, Dr. Stephanie Bailey outlined that over half of the 3000 districts overseen by NACCHO lacked sufficient emergency response plans for dealing with incidents of bioterrorism. In addition, over one quarter of the districts lacked e-mail resources. Even after the institution of the Domestic Preparedness Initiative (DPI) in September 1998 to deal with local bioterrorism response issues, over 94% of public health officials lacked sufficient training in bioterrorism preparedness.²¹ Although this lack of training and resources was clearly evident, only \$120 million was awarded by the CDC from 2000-2002 to upgrade public health responsiveness.²²

Fortunately, the Congressional funds provided by the Bioterrorism Response Act will help to ameliorate the lack of resources available for local bioterrorism preparedness and planning. With such funds, local planners can attempt to implement the efforts initially generated by the DPI in Nashville, TN. In the event of an attack, responders first on the scene have six primary responsibilities:²³

- Coordinate public health needs
- Ex post health surveillance
- Communication with the public health system
- Provide information for the public
- Control the outbreak
- Provide for the needs of the elderly and/or disabled

By specifically delineating capital needs for each of these specific preparation and/or control initiatives, funds from the Bioterrorism Response Act can be used at the local level to train the public health personnel and improve the systems that the United States so desperately needs to combat bioterrorism.

Once federal and local response mechanisms have been established, the capabilities of state-level bioterrorism preparedness resources must also be examined. As a liaison between the federal planning commissions and local response teams, these state-level groups are critical; fortunately, mechanisms are already in place to advance such organizations. Announced by Governor Jane Swift in her 2002 State of the State address, the Massachusetts Bioterrorism Council (MBC) is one example of an organization designed to produce, "the country's most up-to-date, comprehensive plan for preventing and preparing for bioterrorism events."²⁴ In addition, assembling a staff of industry representatives, academia, and government will help to establish the types of liaisons previously outlined that are necessary for combating the logistical complexities of bioterrorism prevention.²⁵ Future assessments of the effectiveness of the MBC will be important as preparedness needs are pinpointed in other state-level governments.

Once local and state planning has been targeted, the final arena that federal executive agencies must attend to is overseas. Coalition-building has already proven to be necessary and effective in the fight against terrorism; such efforts are also imperative in expanding the scope of resources available for the prevention of bioterrorism. Given the international nature of much scientific research, it is in the S&T development sphere that international liaisons will be the most effective, especially between educational institutions. By providing support for exchanges between scientists from different parts of the world and encouraging the development of cross-national, cross-sector networks among industrial and governmental organizations, the knowledge base available for focusing on the prevention and elimination of potent biological agents can only grow in scope.

Conclusion

The events of September 11, 2001 and the subsequent anthrax scare have thrown light on the changes which will be necessary for the executive branch of the United States Government to effectively deal with future issues of bioterrorism. In order for the efforts of the Office of Homeland Security and the already established executive agencies to be successful, the White House must take a more proactive role in the development of science and technology policy. With newly provided fiscal support from Congress, a more prominent OSTP and the creation of a bioterrorism advisory position within OHS would help considerably to restore credibility within the White House S&T policy-making structure. Basic research can be encouraged through the DHHS organization.

Once the government structure has been established, the real work must begin. In dealing with a complex issue like bioterrorism, each government organization must take steps to facilitate liaisons with other organizations in both private and public sectors and both domestically and abroad. Local and state emergency response teams must not be forgotten, and bottom-up approaches to bioterrorism like public education and response protocols must be established and improved in every district. As novel scientific agents, issues, and procedures become manifest, risk assessment of the threat of future outbreaks and currently unknown effects must also be included as a socioeconomic necessity for future decision-making ventures. But the facilitation of effective S&T policy must begin with the White House, and it is up to the President and Vice-President to devise the government structure and leadership capabilities necessary to prevent future incidents of biological terrorism.

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² CNN.com. "Memo: Senate Building Closed by Anthrax to Open Friday." 1/16/02.

³ U.S. Army Medical Research Institute for Infectious Diseases (USAMRIID). *Medical Management of Biological Casualties Handbook*. "History of Biological Warfare and Current Threat." 4th Edition, February 2001.

⁴ Lewis, Ricki. "Bioweapons Research Proliferates." *The Scientist*. 12[9]:1, April 27, 1998.

⁵ Article 1. Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. 10 April 1972.

⁶ Kayyem, Juliette N. "U.S. Preparations for Biological Terrorism: Legal Limitations and the Need for Planning." BCSIA Discussion Paper 2001-4, ESDP Discussion Paper ESDP 2001-2, John F. Kennedy School of Government, Harvard University, March 2001.

⁷ Atlas, Ronald. Co-Chair of Task Force on Biological Weapons Control for the American Society of Microbiology. Statement before Oversight Hearing on Threat of Bioterrorism in America: Assessing the Adequacy of Federal Law Relating to Dangerous Biological Agents, Senate Subcommittee on Oversight and Investigations. 5/20/99.

⁸ Ibid.

⁹ Caruso, J.T. Deputy Assistant Director, Counterterrorism Division of F.B.I. Statement on Bioterrorism before the Senate Judiciary Subcommittee on Technology, Terrorism, and Government Information. 11/6/01.

¹⁰ Ibid.

¹¹ Heinrich, Janet. "Bioterrorism: Coordination and Preparedness". General Accounting Office (GAO) Testimony Before the Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations, Committee on Government Reform, House of Representatives. 10/5/01.

¹² Ibid.

¹³ Bush, George W. "Executive Order Establishing the Office of Homeland Security and the Homeland Security Council." 10/8/01.

¹⁴ Heinrich, see n. 11.

¹⁵ Rice, Condoleeza and Tom Ridge. Personnel Announcement. "New Counter-Terrorism and Cyberspace Security Positions Announced." 10/9/01.

¹⁶ Katz, Marty. *Science*. "An Interview with John Marburger: Terrorism, Money, Contacts Top Science Advisor's Agenda." 294 (5547): 1642. 11/14/01.

¹⁷ "HHS Accelerates Bioterrorism Research: New Programs Expedite Ideas from Concerned Scientists". 12/6/01.

<http://www.niaid.nih.gov/newsroom/releases/accelbio.htm>

¹⁸ House Resolution 3448. Public Health Security and Bioterrorism Response Act. Passed the House 12/12/01, amended and passed in the Senate 12/20/01.

¹⁹ Ibid.

²⁰ Bailey, Stephanie C. Testimony for the Hearing on Bioterrorism: Our Frontline Response, Evaluating U.S. Health and Medical Readiness. Before the Senate

Subcommittee on Public Health, Committee on Health, Education, Labor, and Pensions. 3/25/99.

²¹ Ibid.

²² Fish, Mike. "Past crises, public-private cooperation among keys to readiness?". CNN.com, 1/17/02.

²³ Bailey, see n. 20.

²⁴ Ranalli, Ralph. "Bioterrorism Council Will Oversee Efforts." *Boston Globe*. 1/16/02, p. A11.

²⁵ Council Members:

Stephen Calderwood – Microbiologist at Harvard Medical School
Carol Ann Rauch – Specialist at Baystate Medical Center @ Springfield
Thomas Monrath – Vice President of biotechnology firm Acambis
Arnold Howitt – Director of Taubman Center for State and Local Govt., KSG
Howard Koh – Commissioner, state Department of Public Health
Richard Swensen – Director of Commonwealth Security

PUBLIC OPINION, PUBLIC DIPLOMACY, AND THE WAR ON TERRORISM

JEFFREY D. GRAHAM

The stakes in the U.S. campaign to favorably influence public opinion amongst Arab and Muslim populations are high. Yet, there is little sound empirical data demonstrating the efficacy of past public diplomacy programs. As a first step towards increasing the probability of success in this and future public diplomacy campaigns, this paper introduces a theory of how foreign public opinion forms and changes, and therefore how it might be influenced.

Public Diplomacy and the Need for Proof of Efficacy

Public Diplomacy, the process of “bringing foreign policy to foreign publics at home or abroad,”¹ has been a component of official U.S. foreign policy since at least 1935 when the State Department began publishing the Wireless File (now the Washington File) to quickly distribute information about official U.S. government activities to foreign audiences. After World War II, the informational programs of public diplomacy were augmented by exchange and training programs such as the well-known Fulbright Program.² In the modern era, according to the U.S. Department of State:

Public diplomacy promotes U.S. national security and other interests by seeking to understand, inform, and influence foreign publics and policy-makers, and by broadening the dialogue between American citizens and institutions and their counterparts abroad.³

The success of public diplomacy efforts is by definition measured by the extent to which foreign publics become informed and influenced as a result of these efforts. Indeed, in attempting to measure public diplomacy outcomes the State Department relies on public opinion research and foreign media reactions to U.S. policies,⁴ as well as on participant evaluations of its exchange and training programs.⁵ The difficulties of quantifying such outcomes, and isolating public diplomacy efforts as the true cause of opinion shifts, has stymied State Department attempts to produce convincing data that goes beyond anecdotal evidence of success. This lack of proof of efficacy has implications for continued efforts to influence foreign public opinion.

Since September 11, 2001, it has become glaringly obvious to U.S. foreign policymakers that a vast gulf of understanding separates the United States from the Islamic world. This gulf may, in fact, constitute the greatest foreign public opinion challenge since the height of the Cold War. A recent Council on Foreign Relations report argues that a “...campaign of potentially decisive significance is winning the battle for public support among Muslims around the world.”⁶

Given the high stakes involved, the U.S. needs some way of considering, and maximizing, the probability of success of its public diplomacy strategy for the War on Terrorism. In the absence of robust data from past programs which might guide current efforts, policymakers should at least rely on sound theoretical reasoning. However, little theory currently exists to support the claim that attempts to inform and influence foreign publics will actually produce positive results.

Public Opinion Research and Theoretical Implications for Public Diplomacy

Research into the nature and structure of public opinion, including how it forms and how it changes, is vast. However, a number of specific questions are directly relevant to the discussion of successful public diplomacy:

- How stable, rational, and informed is long-term public opinion?
- How or when can public opinion change?
- What is the influence (or lack thereof) of the media on public opinion?
- What is the relationship between elite and mass opinion?
- How do people get their news?

Sufficient, though somewhat disputed, answers to these questions exist within the American context, but far less research is available on how these answers change in various foreign countries. By examining some of the key findings of research into the “mechanics” of American public opinion (and related research into foreign public opinion where possible), and by clearly stating the assumption that the mechanics of public opinion (rather than the opinions themselves) in other countries resemble those of the United States, one can glean a number of useful theoretical implications for the conduct of public diplomacy. This assumption is a bold one and likely to be untrue in some countries. If true, though, the implications outlined below reveal that many public diplomacy efforts, including those initiated as part of the War on Terrorism, could be doomed to failure. One of the key goals of this paper, therefore, is to demonstrate the urgent need for more research into the mechanics of public opinion in foreign contexts to determine the validity of this important assumption.

From this preliminary exploration of key findings on the mechanics of public opinion, one can theorize answers to a number of operational questions, including: What audiences should public diplomacy programs target? In what time frame should public diplomacy programs try to operate? What kind of organizational structure is needed to conduct public diplomacy? What means of delivery should public diplomacy programs utilize?

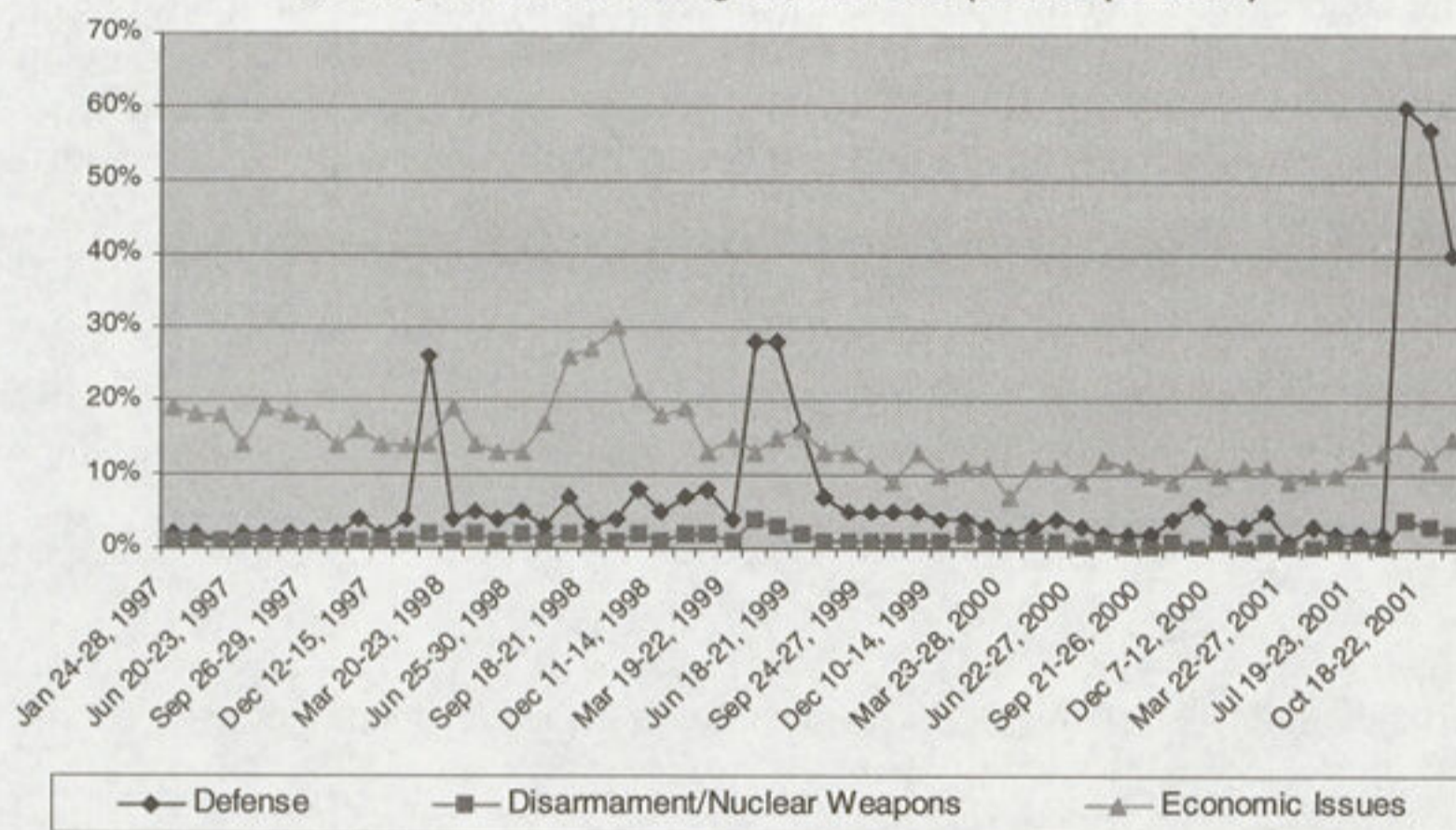
How stable, rational, and informed is long-term public opinion?

If public opinion in foreign countries were, as Walter Lippmann argued of American public opinion, unstable, irrational, and unstructured (among other

things), it would suggest that foreign public opinion could be manipulated, assuming the appropriate audience could be reached.⁷ According to more recent research by Page and Shapiro, however, American public opinion as a *collective* phenomenon is actually stable (though not immovable), meaningful, rational, reasonable and adaptive to new information or changed circumstances.⁸ The question, then, is whether the same conclusion holds for foreign nations.

Given the relative scarcity of public opinion poll data in many foreign countries (especially non-democracies), it would be difficult to exactly duplicate Page and Shapiro's results abroad. One can, however, find supportive data in data collected over many years in the United Kingdom and Turkey. In studies conducted in these two nations, citizens were asked which of several issues they felt was the most important facing their country.⁹ In the UK case, monthly responses to a choice of sixteen important issues facing the UK were recorded from March 1983 to the end of September 2001. In the Turkish case, eighteen choices were provided and the results recorded monthly from January 1990 to April 2001.¹⁰

Most Important Issue Facing UK, 1997-2001 (% of Respondents)



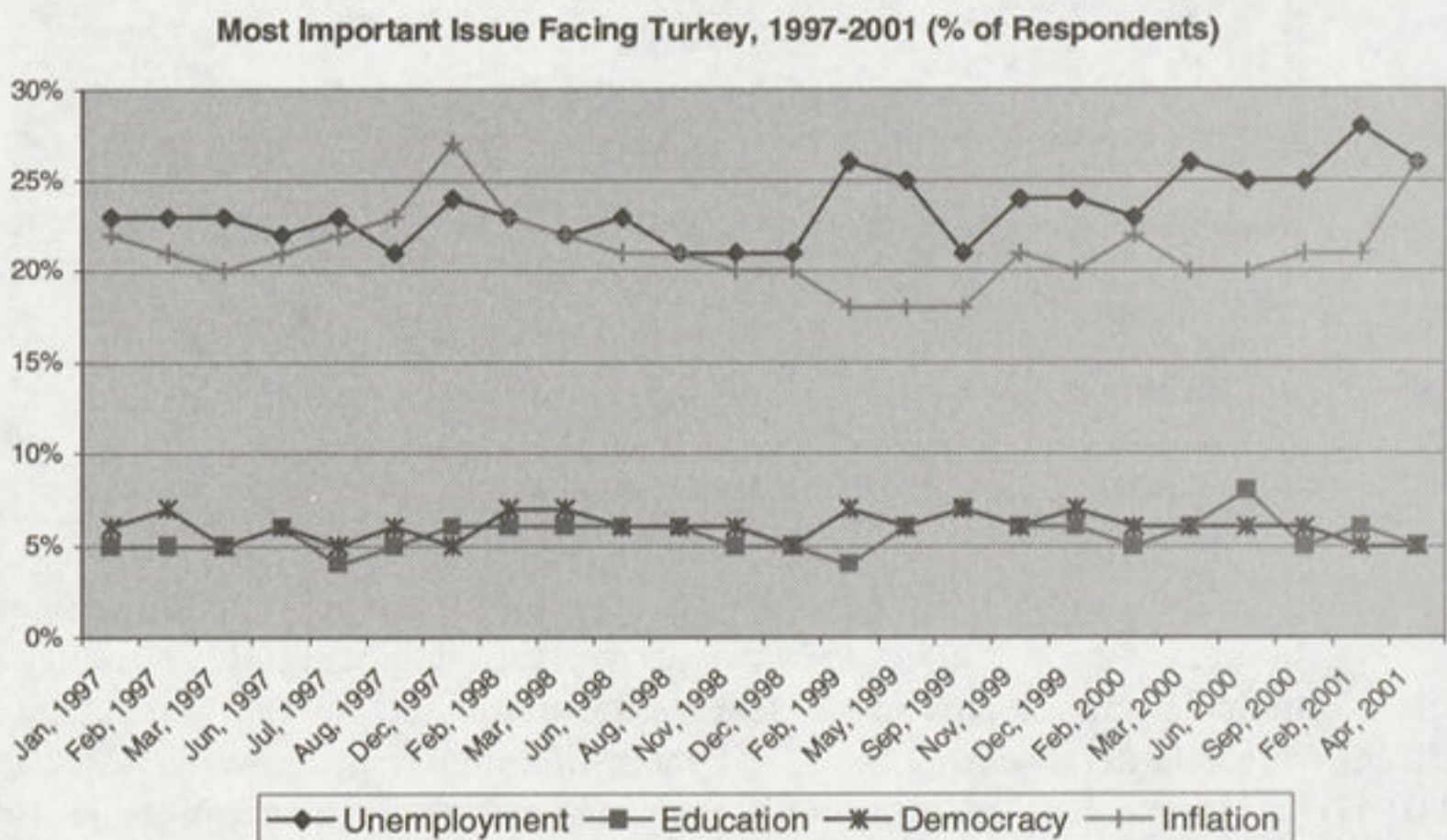
In the case of the UK, shown above, the stability and rationality of British public opinion seems most clear in the trend line for the percentage of citizens who felt defense was the UK's most pressing issue between 1997 and 2001. The number hovers in the mid tens range except for brief spikes in 1998 and 1999, the latter of which corresponds directly with escalation of the NATO bombing campaign in Kosovo, followed by a huge leap following the September 11th terrorist attacks in the United States.

Looking back further to data from the period 1983 to 1991 (not graphed here), the beginning of easing of superpower nuclear tensions to the end of the Gulf War, over 40% of respondents in early 1984 felt that disarmament and

nuclear weapons were the most important issue facing the UK; other than a brief spike in 1986, the trend fell off to almost zero by 1991. This trend corresponds directly with the easing of nuclear tensions between NATO and the Soviet Union in the 1980's, revealing a public with quite rational attitudes toward the threat of nuclear weapons.

In contrast to the steady decline of the nuclear threat trend line, the percentage of British respondents who said defense (treated separately from the threat of nuclear weapons) was the most important issue hovered around 8% for most of that eight-year period, until the number surged to 31% in mid-August of 1990 when Iraq invaded Kuwait, and jumped again to 65% in mid-January—precisely when President Bush announced that a U.S.-led coalition would liberate Kuwait. Looking at these numbers, it seems clear that public opinion in the UK is relatively stable except in special circumstances, and is generally rational.

In the case of Turkey, respondents showed similar stability in their opinions, though the actual concerns listed as the most important were quite different from those listed by Britons. All four trend lines graphed below demonstrate considerable stability over this four-year period. As a demonstration of the coherence of public opinion, it is interesting to note that the trend lines for concern about unemployment and inflation—two intimately related macroeconomic conditions—follow one another quite closely, indicating that changing economic conditions in Turkey were being coherently reflected in the public's attitudes.



In the above cases public opinion in the UK and Turkey seems to mirror American public opinion; excepting special circumstances, such as crises, it does not appear to change much.¹¹

These arguments raise two theoretical implications for public diplomacy:

- If public opinion in other countries is as stable as it is in the U.S., then foreign public opinion will not be fickle and will not be easily swayed by short-term public diplomacy efforts.
- If foreign public opinion is rational, then propaganda efforts that differ markedly from “truth” are not likely to succeed.

Regarding the question of an informed public, theorists from Lippmann forward have contended that average Americans are political dunces.¹² There are two important theoretical counterarguments relevant to this discussion. Doris Graber argues that the indicators used to measure civic knowledge are flawed and do not measure information needed for actual civic duties citizens face,¹³ and that American citizens generally in fact do have enough political knowledge to “cope with their civic needs.”¹⁴ Page and Shapiro present a different take on the question by focusing on aggregated public opinion, arguing that *collective* opinion will be based on all available information, and state that “If the available information is accurate and helpful (which depends upon the nature of a society’s information system), collective opinion can even be wise.”¹⁵

Theoretical implications for public diplomacy raised here include:

- If the general public has sufficient knowledge to perform civic duties, then public diplomacy efforts should not discount the general public.
- If collective public opinion will utilize all available information, then public diplomacy that attempts to “spin” messages may fail.
- If the wisdom of public opinion depends on a society’s information system, then public diplomacy should focus on information as well as the *delivery* or *availability* of information.

How or when can public opinion change?

While the above discussion focused on the stability of public opinion over the long term, it is not meant to suggest that public opinion does not shift. Indeed, the UK data clearly show that public opinion does change. The important question for public diplomacy is how and when public opinion can change.

According to Page and Shapiro, an individual’s policy preferences, or views on political information (which in the case of public diplomacy would include views on the U.S. held by foreign publics), are based on “fundamental needs and values that are relatively enduring” (what Maxine Isaacs calls “bedrock values”¹⁶) and uncertain beliefs on how the political information with which they are faced relates to those needs and values.¹⁷ The relationship people see between these underlying values and the political information with which they are presented depends on incomplete bits of information. Thus, individuals may appear to have fickle opinions in the short term because their idea of how events relate to their bedrock values may change as they receive new bits of information that support or contradict their concept of this relationship.¹⁸

There are two initial important implications for public diplomacy here:

- If people's opinion reference point is ultimately their bedrock values, then public diplomacy programs in the short term must be highly aware of the underlying values of the target audience; in the longer term, public diplomacy programs could try to shift, even slightly, the target audience's bedrock values.
- If people's understanding of how political information relates to their bedrock values is unstable, then public diplomacy programs should seek to make positive connections for people between information being conveyed to them and their underlying values.

While it is obvious that a person's and a group's opinions can change, an important question for public diplomacy is the timeframe in which change can or does occur. Page and Shapiro offer some logical explanations for gradual mass opinion change, through, for example, changes in a population's demographic composition or the aggregation of changes in individual experience or life circumstance. This type of gradual shift is reflected in the feelings of British citizens that the threat of nuclear weapons was declining from 1983 to 1990. However, opinion can also change quickly in certain circumstances. The extreme shifts in British opinion in 1998 and September 2001 reveal that collective opinion change can occur when many individuals quickly change opinions in the same direction at the same time, as precipitated by a crisis or another major event.¹⁹

An important point to bear in mind is that access to information is crucial to the stability of public opinion. With sufficient information, the public will reach informed, rational views on political issues. As Doris Graber points out, however, "Because most Americans lack interest and knowledge about foreign affairs, what they see and hear on television, particularly when dramatic pictures are involved, can sway them."²⁰ It is therefore important to distinguish between opinion change in situations where people have incomplete or faulty information, situations where people have come to new understanding about information they already had, and situations where new events have taken place.

These considerations give rise to two more theoretical implications for public diplomacy:

- If crises present opportunities for mass public opinion shifts, then the public diplomacy "machinery" needs to be fast and flexible enough to take advantage of crisis situations to try to influence the opinion of the foreign public.
- If dramatic images can sway opinion (at least in situations where the target audience has incomplete information), then public diplomacy efforts should employ dramatic imagery when possible.

What is the influence (or lack thereof) of the media on public opinion?

As hinted at above, a fundamental debate regarding the media and public opinion is whether the media's primary role is as "pipes" or "water," i.e. do the

media have the power to influence public opinion by deciding what information to share with people or by deciding how to spin news? Former U.S. Ambassador to the U.N. Richard Holbrooke argues that, in a democratic society like the U.S., the media's failure to cover foreign affairs may translate into a lack of public pressure on elected representatives, and through them the Executive Branch.²¹ This implies that the media can affect public opinion by virtue of their ability to influence the flow of information.

The question of the media's ability to influence how the public feels about the information that it is given is more difficult to answer. If, as argued above, people reference information to their bedrock values and are able to get information from a number of sources (media, friends, co-workers), they are not likely to be easily influenced by the media's opinions or interpretations of events. As Tom Oliphant of *The Boston Globe* argues, people come to their own judgments in their own ways, meaning people generally are shrewd and sophisticated, and do not rely on the media to tell them what to think.²²

The theoretical implications of this analysis are as follows:

- If access to news/information is so important to the formation/change of public opinion, then public diplomacy should focus on trying to increase the amount of news that reaches foreign publics. This might imply increased broadcasting (radio, TV, Internet); long-term political and financial support for more open local media; or even support to the host government or NGOs to provide greater access to education.
- If the media have little ability to impose their opinions on the public, then information-based public diplomacy programs will not be effective in "spinning" topics to influence foreign audiences.

What is the relationship between elite and mass opinion?

It has often been taken as given that elites influence or even lead public opinion, but relying on this unwarranted assumption can be disastrous for American policymaking,²³ as well as for the conduct of public diplomacy. Recent research has shown that, in fact, there is a wide gap between elite and mass opinion. Thomas Graham, in his "two worlds" model, describes mass opinion as stable and sensible, arguing that mass opinion is "relatively immune" to the opinions of the elites. In contrast, elites' opinions follow the ebbs and flows of government policy much more closely, and thus are subject to greater variation.²⁴

By testing this model, Maxine Isaacs shows that elites do not lead public opinion, but rather serve as one of many sources of opinion and information that the public considers, and then filters through its own value systems.²⁵ Writing of growing criticism of the top-down attitude change model, Graham writes that "A consensus is emerging that real world events, not diffusion of ideas from the attentive public or even from Presidents' "going public", have the most powerful influence on mass attitude change."²⁶

The implications of this analysis are as follows:

- If the elites and the general public form opinions independently in foreign contexts, then public diplomacy efforts should be sure to target both groups.
- If elites do not lead mass opinion in foreign contexts, then public diplomacy efforts should not rely on top-down attitude change to effect widespread shifts in public opinion.

When discussing the relationship between elite and mass opinion and its relevance to public diplomacy, it is also important to note that policymakers often mistake the views of elites for those of the masses.²⁷ According to Kull and Ramsey, policymakers tend to misread the public because they fail to seek information on public attitudes, mistake the vocal public as being representative of the majority, view Congress as a mirror of public opinion, and underestimate the public itself.²⁸ This process, wherein “elites look at other elites to discover public opinion” excludes the voice of the public at large.²⁹

This discussion leads to several theoretical implications:

- If policymakers in foreign contexts mistake elite opinion for mass opinion, then public diplomacy programs that seek to get a government to change its policies due to a shift in domestic public opinion should actually target elites.
- If policymakers in foreign contexts mistake the vocal public as being representative of the majority, then public diplomacy programs could target special interest groups and members of the vocal public to put pressure on policymakers.

How do people get their news?

Several points in the preceding discussion have alluded to the importance of how much and what kind of news people in foreign countries are able to access. The underlying question, the answer to which will differ in almost every country, is by why what means people get their news.

In the U.S., elites cling to print media. Foreign policy elites, for example, swear by the *New York Times*.³⁰ Generally, speaking, however, the population of the U.S. shows an overwhelming preference for television as the vehicle for getting political news.³¹ While some, like Richard Holbrooke, claim that the Internet will allow more Americans to get informed and involved in politics,³² individuals’ ability to tailor their “viewing” habits, combined with Americans’ demonstrably low interest in foreign affairs, may severely undermine this effect.

The theoretical implications for public diplomacy are as follows:

- If elites tend to favor prestigious media sources, then public diplomacy programs seeking to influence elites should utilize these sources for dissemination of messages.

- If television is the political information delivery vehicle of choice for most people, then public diplomacy programs should rely on television and its audio/visual format where possible.

It is important to consider, however, that mass media outlets will not always be available or trusted in those nations targeted for public diplomacy by the U.S. In the Arab world, for example, years of government censorship and control of the mass media have left people distrustful of its content and purpose.³³ Thus, alternative mechanisms for informational exchange may be necessary.

This gives rise to the following theoretical implication:

- If mass media outlets are not available or not trusted in a foreign country, then public diplomacy efforts must focus on direct people to people exchange of information and ideas.

A Basic Theoretical Checklist for Public Diplomacy Strategy

Based on the preceding discussion, a basic checklist of the attributes of a successful public diplomacy strategy can be generated. As a preliminary exploration, this list should not be viewed in absolute terms, but rather as an initial attempt to formulate a workable theory of public diplomacy in foreign contexts:

- Consider the **target audience**, and decide upon the segment of the population in which we are trying to effect change. If attitudes of the general public are to be influenced, be sure to target both elites and the masses instead of relying on the top-down approach.
- Tailor the **timeframe** of the strategy to the type of opinion change sought. Short-term programs should be used to give people new information, especially about rapidly evolving events. Long-term programs should be used to expose people to new ideas and try to alter their bedrock values.
- Tailor the type of **message** of the program to the kind of opinion change that is sought. For short-term informational programs, take account of people's bedrock values so they are not misinterpreted. For long-term programs, address the bedrock values themselves. In all cases, reference the link between the information being shared and the target audience's underlying values.
- Focus on **accuracy and timeliness** of information rather than attempts to spin news in a particular way.
- Rely on media **distribution** methods that various target audiences have access to, prefer, and trust. Use different means for different audiences.
- Include provisions for investing in **access** to information, including information/media infrastructure, open media, or basic education.
- Ensure that the public diplomacy **machinery** (bureaucracy) itself is fast, flexible, and adaptable enough to deliver and respond to information as fast as events occur and foreign media deliver reports.

Public Diplomacy and the War on Terrorism: Prospects for Success

A number of experienced and important top thinkers have stressed the need for a strong public diplomacy campaign in the Islamic world as a means of altering Arab and Muslim public opinion towards the U.S., its policies, and its goals and rationale for the War on Terrorism.³⁴ Given the previous discussion, the prospects for success in this public diplomacy campaign can be more fully assessed.

*Summary of the War on Terrorism Public Diplomacy Strategy*³⁵

The public diplomacy strategy developed by Charlotte Beers, Under Secretary for Public Diplomacy and Public Affairs, and her interagency task force has rested on four principal themes:

- “The attacks on the World Trade Center and the Pentagon were attacks not on America but on the world.”
- “The War on Terrorism is not a war against Islam.”
- “Americans support the Afghan people.”
- “All nations must band together to eliminate international terrorism. This is not just a job for America alone.”

In targeting public opinion across the Islamic world, especially within Arab countries, the State Department has sought to effect change in the following ways:

- In conjunction with the Ad Council and prominent Muslim-Americans, it has considered how best to develop messages that humanize the September 11th story and the War on Terrorism, communicate intangibles such as “democracy” to facilitate greater understanding of the U.S., and generally promote a more positive image of America in the Islamic world, particularly among younger Muslims.
- It has attempted to monitor local media and tried to respond to incorrect or inflammatory messages in real time. This has included constant dissemination of new information to U.S. embassies for distribution to local media or for use in outreach efforts, access to high-level U.S. officials by foreign media, and rebuttals by the U.S.’s few eloquent Arabic-speaking officials to statements by Osama bin Laden on the Qatar-based Al-Jazeera television network. Operationally, the U.S. has established information centers in Washington, London, and Islamabad in an effort to dominate television coverage “around the world and around the clock.”³⁶
- The U.S. has also attempted to establish a broader, long-term dialogue with the Arab and Islamic world through videoconferencing with Arab journalists in London (gateway of communication to the Arab world), and producing

weekly digital videos with not only these journalists, but with Arab scholars as well.

- In terms of distribution, Beers has noted the need to deliver messages through almost every channel, and her team is considering TV and radio spots in which sports stars and celebrities “talk up” the U.S. As public access to the Internet in target areas is as low as 1%,³⁷ messages are being pushed to members of the local media, who do tend to have access. Finally, the strategy calls for a serious upgrade of the U.S.’s international broadcasting capabilities by using \$30 million in year-end spending to establish a new service that would run 24 hours per day on FM and AM frequencies, aimed at Arabs under 30 (who make up perhaps 60% of the population).³⁸
- A final piece of the War on Terrorism public diplomacy strategy is to make use of international exchanges, of which the U.S. has about 7,000 per year with countries that have significant Muslim populations. In the short term, the U.S. is using exchange programs that are in progress as vehicles for delivering messages. This includes having high-level U.S. officials such as the Secretary of State and the State Department Spokesman make themselves available to official foreign visitors when they pass through Washington. In the long-term, exchange efforts with the Islamic world will be strengthened, though no specifics were mentioned in the public statements.

Problems with the strategy

At first glance the above public diplomacy strategy appears to be the robust work of professionals well-versed in the techniques of influencing opinions. As one example of the sheer volume of the U.S. efforts, as of November 9th, U.S. ambassadors had written roughly 160 opinion pieces around the world, and many were doing interviews on an almost daily basis.³⁹ At least anecdotally, however, the strategy does not appear to be working as expected. In the words of Representative Tom Lantos, “In many respects...the United States and our allies are losing the battle of the airwaves. We are literally being....out-manuevered on the public information battlefield.”⁴⁰ What are the reasons it may not be working, and are the prospects for the future rosier? The application of the theoretical framework previously developed may shed some light on this question:

Consider the target audience, and decide upon which segment of the population in which we are trying to effect change. If attitudes of the general public are to be influenced, be sure to target both elites and the masses instead of relying on the top-down approach.

In the War on Terrorism, the objective is not to pressure Arab and Muslim governments by influencing the opinion of their publics, but rather to counter the influence of radical Arabs and Muslims and reduce the number of would-be terrorists. Though the above strategy does mention targeting younger Muslims and using upgraded radio broadcasting to reach more “average” people, much of it relies on communicating through intellectuals, journalists, and foreign

government leaders. In a briefing to foreign press correspondents, Under Secretary Beers did say that the U.S. will rely on those with access to information to take the message and “send it onward into their societies.” Based on theory, this top-down approach will meet with limited success.⁴¹

Tailor the timeframe of the strategy to the type of opinion change sought. Short-term programs should be used to give people new information, especially about rapidly evolving events. Long-term programs should be used to expose people to new ideas and try to alter their bedrock values.

In the very short term, the U.S. strategy of hitting the Islamic world with a barrage of information that may be new to many people makes theoretical sense, as it exposes people to information that might help them clarify uncertain or incoherent beliefs about the United States, and may help to counter the deliberate misinformation campaign of the Taliban and Al-Qaida. The larger purported goal of the campaign, however, is to improve the image of the U.S. amongst the Arab and Muslim populations, and since public opinion tends to be stable or very slow to change in the absence of major opinion-shifting events, this campaign must be a sustained effort that lasts longer than the physical war itself.⁴² As Kenton Keith, former Ambassador to Qatar and long-time practitioner of public diplomacy says, America’s story does not sell itself, and the U.S. needs to promote its message not just in times of crisis.⁴³

Tailor the type of message of the program to the kind of opinion change that is sought. For short-term informational programs, take account of people’s bedrock values so they are not misinterpreted. For long-term programs, address the bedrock values themselves. In all cases, reference the link between the information being shared and the target audience’s underlying values.

In the short term, some of the messages the U.S. has sent have been misinterpreted because they were incorrectly framed. R.S. Zaharna, a communications professor at American University, notes that the U.S. has alienated very conservative Muslims by using “terrorism” and “radical Islam” interchangeably, alienated target audiences who neither hate nor love the U.S. by using the phrase “with us or against us,” and made some target audiences suspicious by having official U.S. messengers appear to be emotionally neutral—which can be perceived as deception in a world where emotional honesty is prized.⁴⁴ In the longer term, Zaharna points to the U.S.’s “source credibility” problem. If members of the target audience’s underlying beliefs about the U.S. are based on knowledge of past U.S. policies and actions, it would be unlikely for those beliefs to change unless the policies themselves change.⁴⁵

Focus on accuracy and timeliness of information rather than attempts to spin news a particular way.

In this area, the U.S. strategy appears to be most in line with theory. The U.S. is trying hard to move information quickly to foreign media and U.S. embassies abroad, and is using its media information centers in Washington, London, and Islamabad wisely. There may, however, be an error of omission; the messages being put out by the U.S. regarding the War on Terrorism do not address the terrorists' stated concerns (which arguably may not be their true complaints), including the U.S. policies that the terrorists claim to hold responsible for the ongoing attacks. It is likely that if the U.S. did try to include these topics in its public diplomacy campaign it would try to positively spin them rather than treating them objectively (failing to acknowledge, for example, the role that U.S. oil consumption plays in determining its Middle East policy), which theory predicts would not be successful in influencing opinion.

Rely on media distribution methods that various target audiences have access to, prefer, and trust. Use different means for different audiences.

In terms of access, while it is suggested by various sources that the Voice of America's Pashto (a common Afghan language) service is heard by some 80% of Afghan men,⁴⁶ VOA's Arabic service has an audience of at-most 2%.⁴⁷ As the nationalities of the September 11th terrorists and the fighters in Afghanistan who have been most unwilling to lay down their weapons reveal, it is less important for the U.S. messages to reach Afghans than Arabs. Also, the apparent emphasis that the State Department is placing on the development of informational websites seems lopsided given the lack of Internet access in the target countries.

Distribution sources may also suffer from a lack of trust. Commenting on the Middle East, Howard Schneider of the *Washington Post* writes that, "With few homes connected to satellite dishes or services, government-sponsored television and radio remain the primary information sources."⁴⁸ If much of America's message is being delivered through government-controlled channels, and if citizens of these countries are distrusting of the mass media,⁴⁹ "message sent" is unlikely to be "message received."

Finally, the U.S. strategy does not appear to place enough emphasis on the use of television in those countries that do have access to this powerful audiovisual format. As Susan Sachs wrote in late October, "Thousands of words from American officials, it appears, have proved no match for the last week's news, which produced a barrage of pictures of wounded Afghan children and of Israeli tanks rolling into Palestinian villages....Talking heads just can't compete with powerful images."⁵⁰

Include provisions for investing in access to information, including information/ media infrastructure, more open media, or basic education.

According to theory, a major flaw in the long-term aspects of this public diplomacy strategy is the lack of any initiatives that specifically address the lack of access to information in many of the target countries. To aid in the goal of influencing people's opinions, the public diplomacy strategy should be paired with plans, perhaps through USAID, to upgrade or broaden local communications systems, push target governments to allow freer press, and to improve basic education systems.

*Ensure that the public diplomacy **machinery** (bureaucracy) itself is fast, flexible, and adaptable enough to deliver and respond to information as fast as events occur and foreign media deliver reports.*

Finally, the current organizational structures of public diplomacy are not adequately designed to execute a successful campaign. While the current 24-7 task force, establishment of media centers in Washington, London, and Islamabad, and sudden surges in spending are positive steps, history suggests that the U.S. government will revert to the previous status quo given enough time. Also, State Department bureaucracy, which is unduly thick and slow, will undoubtedly be unable to adapt to changing needs on the ground, or take advantage of opportunities for influencing mass opinion when further crises occur. As some suggest, in addition to altering existing structures to allow more flexibility in public diplomacy, the U.S. might opt to create a special office at the White House (or National Security Council) that is less bound by bureaucratic constraints.⁵¹

Conclusions

Based on the preliminary theory woven together in this paper of what a successful public diplomacy strategy should contain, it is clear that the U.S.'s public diplomacy strategy for the War on Terrorism could be misguided in several ways. The bottom line is that U.S. public diplomacy efforts are focused on the short-term, trying to counter objectionable or untrue messages in real time, rather than on trying to effect real change in public opinion amongst Arabs and Muslims over the long term. While the strategy may meet with some success insofar as it will provide target audiences with more information that may help them clarify or stabilize uncertain views, in the longer run, people are smart and are going to gather information beyond what the U.S. public diplomacy machinery feeds them.

At the end of the day, target populations will continue to reference incoming information through their bedrock values, maintain relatively stable opinions, and likely continue to hold negative feelings toward the United States, as the basic factors that led most people to develop those negative views in the first place have not changed. There does not yet appear to be serious "policy review" going on within the U.S. foreign policy community as part of the War on Terrorism, i.e. the U.S. is not seriously considering whether to change some of the

policies that have led, and continue to lead, to Arab and Muslim dislike of America. As one Western diplomat aptly put it, U.S. public relations efforts in the Middle East are akin to “trying to sell spoiled milk.”⁵² The public of the Arab and Islamic world is not stupid, and until the U.S. changes what it is peddling, it should not expect a warm reception at the door.

¹ Robin Renee Sanders, Director of Public Diplomacy, Africa Bureau, U.S. Department of State, Lecture to PPP-305, Kennedy School of Government, December 11, 2001.

² Howard Cincotta, “Thoughts on Public Diplomacy and Integration,” Public Diplomacy Web Site, The Public Diplomacy Foundation (<http://www.publicdiplomacy.org/3.htm>).

³ *Reorganization Plan and Report Submitted by President Clinton to the Congress on December 30, 1998*, Pursuant to Section 1601 of the Foreign Affairs Reform and Restructuring Act of 1998. (<http://www.fas.org/irp/offdocs/pdd/pdd-68-dos.htm>).

⁴ *Reorganization Plan...*, *ibid.*

⁵ *U.S. Department of State Performance Plan Fiscal Years 2001-2002*, p. 121.

⁶ Council on Foreign Relations Independent Task Force on America’s Response to Terrorism, “Improving the U.S. Public Diplomacy Campaign in the War Against Terrorism,” November 6, 2001, p. 1.

(http://www.cfr.org/Public/publications/PubDiplom_TF.html)

⁷ Maxine Isaacs, Lecture to PPP-305, Kennedy School of Government, November 8, 2001.

⁸ Benjamin I. Page and Robert Y. Shapiro, *The Rational Public: Fifty Years of Trends in Americans’ Policy Preferences* (Chicago: University of Chicago Press, 1992), p. 14.

⁹ “Political Attitudes in Great Britain,” Market & Opinion Research International (<http://www.mori.com/polls/indpolit.shtml>); “Pulse of Turkey,” Strategji/MORI Research and Planning (<http://www.stratejimori.com.tr/>).

¹⁰ Methodological note: I combined data from each yearly report to create a single numerical dataset for each case, analyzed long term trends, then isolated and graphed relevant trends for discussion.

¹¹ Maxine Isaacs, Lecture to PPP-305, Kennedy School of Government, September 20, 2001.

¹² Page and Shapiro, *ibid.*, p. 4.

¹³ Doris A. Graber, *Processing Politics: Learning from Television in the Internet Age* (Chicago: University of Chicago Press, 2001), p. 43.

¹⁴ Graber, *ibid.*, p. 54.

¹⁵ Page and Shapiro, *ibid.*, p. 17.

¹⁶ Maxine Isaacs, Lecture to PPP-305, Kennedy School of Government, November 8, 2001.

¹⁷ Page and Shapiro, *ibid.*, p. 15.

¹⁸ Page and Shapiro, *ibid.*, p. 15.

¹⁹ Page and Shapiro, *ibid.*, p. 31-32.

²⁰ Doris A. Graber, *Mass Media and American Politics, Fifth Edition* (Washington, D.C.: CQ Press, 1997), p. 367.

²¹ Richard Holbrooke, former U.S. Ambassador to the UN, Lecture to PPP-305, Kennedy School of Government, October 4, 2001.

²² Tom Oliphant, Columnist, *The Boston Globe*, Lecture to PPP-305, Kennedy School of Government, October 11, 2001.

²³ Maxine Isaacs, Lecture to PPP-305, Kennedy School of Government, October 9, 2001.

²⁴ Thomas W. Graham, *The politics of failure: Strategic nuclear arms control, public opinion and domestic politics in the United States—1945-1980*, Doctoral dissertation, Massachusetts Institute of Technology, pp. 236-237. Cited in Maxine Isaacs, "Two Different Worlds: The Relationship Between Elite and Mass Opinion on American Foreign Policy," *Political Communication* (15:323-345), 1998, p. 325.

²⁵ Isaacs, "Two Different Worlds....," *Ibid.*, p. 342.

²⁶ Thomas W. Graham, "Public Opinion and U.S. Foreign Policy Decision Making," in *The New Politics of American Foreign Policy*, edited by David A. Deese (New York: St. Martin's Press, 1994), p. 194.

²⁷ Graham, *The politics of failure....*, *ibid.*, p. 236.

²⁸ Steven Kull and Clay Ramsay, "Elite Misperceptions of U.S. Public Opinion and Foreign Policy," in *Decisionmaking in a Glass House: Mass Media, Public Opinion, and American and European Foreign Policy in the 21st Century*, edited by Brigitte Nacos, Robert Shapiro, and Pierangelo Isernia (New York: Rowman & Littlefield Publishers, Inc., 2000), pp. 104-106.

²⁹ Maxine Isaacs, Lecture to PPP-305, Kennedy School of Government, October 9, 2001.

³⁰ Graber, *Mass Media and American Politics*, *ibid.*, p. 341.

³¹ Graber, *Processing Politics*, *ibid.*, p. 3.

³² Richard Holbrooke, former U.S. Ambassador to the UN, Lecture to PPP-305, Kennedy School of Government, October 4, 2001.

³³ R.S. Zaharna, "American Public Diplomacy in the Arab and Muslim World: A Strategic Communication Analysis," *Policy Report*, Foreign Policy in Focus, November 2001, p. 4.

³⁴ Including Tom Donilon, former Assistant Secretary of State for Public Affairs and Chief of Staff to the Secretary, and Richard Holbrooke, former U.S. Ambassador to the UN, in individual lectures to PPP-305, Kennedy School of Government, October 18, 2001 and October 4, 2001, respectively.

³⁵ In addition to specifically referenced sources, this summary was compiled from the following sources: Charlotte Beers, Under Secretary for Public Diplomacy and Public Affairs, statement before the House International Relations Committee during a hearing on public diplomacy, October 10, 2001; Under Secretary Beers and Richard Boucher, Spokesman and Assistant Secretary of State for Public

Affairs, press briefing at the Foreign Press Center in Washington, DC, November 9, 2001; Alexandra Starr, "Charlotte Beers' Toughest Sell," *BusinessWeek online*, December 17, 2001; Associated Press, "U.S., Arab Misunderstandings Widespread," October 18, 2001

(<http://www.globalpolicy.org/wtc/analysis/1018usarab.htm>).

³⁶ Karen De Young, "U.S., Britain Step Up War for Public Opinion," *Washington Post*, November 1, 2001.

³⁷ Richard Holbrooke, "Get the Message Out," *Washington Post*, October 28, 2001, p. B7.

³⁸ Robert G. Kaiser, "U.S. Message Lost Overseas," *Washington Post*, October 15, 2001, p. A1.

³⁹ Charlotte Beers, Under Secretary of State for Public Diplomacy and Public Affairs, and Richard Boucher, Spokesman and Assistant Secretary of State for Public Affairs, press briefing at the Foreign Press Center in Washington, DC, November 9, 2001.

⁴⁰ Tom Lantos, Ranking Democratic Member, House International Relations Committee, hearing on "Public Diplomacy and the War on Terrorism", October 10, 2001.

⁴¹ Charlotte Beers and Richard Boucher, press briefing at the Foreign Press Center in Washington, DC, November 9, 2001.

⁴² Holbrooke, "Get the Message Out," *ibid.*, p. B7.

⁴³ As quoted by Barbara Slavin, "U.S. message is difficult to deliver," *USA Today*, October 16, 2001, p. 10A.

⁴⁴ Zaharna, *ibid.*, p. 3.

⁴⁵ Zaharna, *ibid.*, p. 3.

⁴⁶ Robert Stewart, "We Can't Win If We're Not Heard," *Washington Post*, October 14, 2001, p. B1.

⁴⁷ Slavin, *ibid.*, p. 10A.

⁴⁸ Howard Schneider, "Arab 'Street' Unmoved by News," *Washington Post*, November 30, 2001, p. A32.

⁴⁹ Zaharna, *ibid.*, p. 4.

⁵⁰ Susan Sachs, "U.S. Appears to Be Losing Public Relations War So Far," *New York Times*, October 26, 2001, p. B8.

⁵¹ Holbrooke, "Get the Message Out," *ibid.*, p. B7.

⁵² Schneider, *ibid.*, p. A32.

INTERNATIONAL DEVELOPMENT

**PRIVATIZATION AS PRO-POOR POLICY: A POLITICAL STRATEGY
FOR HAITI'S PRESIDENT
ELOISE PASACHOFF**

This paper analyzes the quandary that confronts President Aristide as he attempts to satisfy both the international donor agencies that require privatization of state-owned industries and a constituency that is vocally opposed to such privatization. The author argues that the key question is less an economic one—whether privatization is good or not—than a political one—how to marshal support for a well-constructed privatization plan that will truly benefit Haiti's poor. The paper concludes with a strategic response to this political problem and draws broader international lessons from the privatization conflict in Haiti.

Introduction

The Potential for Privatization

Haitian President Jean-Bertrand Aristide enters the second year of his nonconsecutive second term in the aftermath of an attempted coup and amid continued charges of election improprieties. The country's damaged relationships with the international community have only increased the obstacles to democratic and financial progress. This ongoing political debacle makes it even more difficult for the President to pay adequate attention to improving the lives of the vast numbers of citizens who live in poverty.

The country's domestic and international political and economic conflicts seem to offer no clear direction for reform. However, there is a way to make the country's political complications and its economic needs work together. President Aristide should focus his attention on a problem at the nexus of politics and economics: the privatization of state-owned industries. This is a solution with great potential to build domestic political strength, to reconnect with disenchanted international aid agencies, and to bring better services to poor Haitians. Unfortunately, progress in this area has been stymied by a difficult political predicament. On the one hand, President Aristide and President Préval before him have been pressured by the international donor agencies that condition aid on privatization of state-owned industries. On the other hand, a domestic broad-based popular front is vocally opposed to such privatization, attempting to thwart it at every turn.

This paper analyzes the quandary that confronts President Aristide and makes suggestions for its resolution. The first part of the paper examines the controversy itself, discussing arguments in favor of and opposed to privatization. The next part argues that the central question is less an economic one—whether privatization is good or not—than a political one—how to marshal support for a well-constructed privatization plan that will truly benefit Haiti's poor. To that end, the third part of the paper lays out a strategy to build consensus, outlining the steps that Aristide must take to appeal to key constituents. Although the privatization issue has slipped from the top of the agenda over the last few years,

it is far from resolved, and Aristide cannot ignore the issue for much longer. Huge anti-privatization protests at the state-owned electricity company last Spring, and continued international pressure to privatize, indicate as much. This is a conflict that is not going away.

The Privatization Crisis and the Role of the President

In March of 1996, one month after the first peaceful and democratic transition of power in Haiti's 200-year history, newly elected President René Préval spoke on an American news program about the task ahead of him. The interviewer did not ask about the recent military occupation, or the surge in refugees illegally entering the United States, or the notorious government corruption. Any one of these issues could have reasonably taken center stage. Instead, questions focused on a more pressing issue: how would the president handle the privatization of state-owned industries? Donor agencies had begun to condition their aid on this policy even while there was massive grass-roots opposition to it. With confident optimism (some might say foolhardy naïveté), President Préval assured the interviewer that such conflicts were in the past:

Privatization is a necessity. It was not well explained to the population... Now, we have explained the necessity of privatization to the Haitian people. The Haitian people have understood, and now we're going to move in that direction. And we must do it quickly, since the international donors will see their fiscal year end on June 30th. We're not doing privatization just because we are under pressure. We're doing it because we think it's a good thing. We think that the private sector is a better manager than the state.¹

With this sanguine statement, Préval implicitly explained the central reason for his country's turn to privatization: the donor agencies require it because the private sector will run the industries more successfully. Yet, his words of assurance were poorly chosen. He doomed the privatization movement to stagnation, if not to failure, with the way he phrased his comments. First, he framed his statement as an attempt to explain to explain the issue to the Haitian people, rather than an attempt to work with them. Second, he prioritized speed over correctness to suit the calendar of the donor agencies. Third, although he suggested that privatization would yield benefits, he offered no clear delineation of exactly what that meant, and no indication that the poor majority of Haiti would benefit.

Indeed, despite Préval's optimism, and perhaps because of errors in action resulting from these verbal missteps, the government's ambitious move to privatize nine state-owned industries by the end of 1998 was unsuccessful. After the cement plant and telephone company were sold, the local popular front's protests intensified, and large-scale plans for privatization fell through. The plans have not died, however, but rather stagnated due to the government's inability to

navigate the politics of implementation. As Préval's predecessor and successor, President Aristide failed to privatize in his first term, bequeathing the resulting political mess to Préval. Now that he is responsible for the political mess once again, President Aristide faces a familiar problem: how can he satisfy both the donor agencies and the population?

The Debate about Privatization

Pro-Privatization Views from the International Community

The privatization of state-owned industries is a requirement that has grown in importance for foreign aid donors and lenders over the last ten years, not only in Haiti but also throughout the rest of the developing world. This focus on privatization is relatively new in prominence. In 1986, only 13% of aid was conditioned on the restructuring of industry; by 1992, 59% of aid was tied in this way.² The insistence that Haiti privatize arose out of this context. When President Aristide was reinstated in 1994 with the help of a US-led occupation, international aid agencies began to focus on privatization as a way for Haiti to enact necessary governmental and economic reform.

Most public documents in support of privatization in Haiti come from international agencies themselves. The arguments follow the same general format: the people of Haiti are incredibly poor; the government is too corrupt and inefficient to help them; market-driven private industry is efficient and will lead to the improved services that are crucial to combating poverty.

In 1994, the IMF and the World Bank crafted a plan to sell nine state enterprises: the airport authority, the water port authority, two national banks, the vegetable oil venture, the cement company, the flour mill, the electricity company, and the telephone company. The last four were slated to be privatized first, as there was little good to report about their service when they were run by the state. Although exact data are hard to come by (they are irregular, incomplete, and sometimes contradictory), it is clear that these industries performed poorly.

Because they were shut down during Aristide's exile, the cement and flour companies did not function during most of the 1990's.³ As of 1999, the electric company served only 45% of the population in Port-au-Prince and 3% of the population elsewhere; service was unreliable from December to March and was irregular even during the rest of the year.⁴ The telephone company was no better. In 1995, there were fewer telephones per capita in Haiti than in poor countries in Africa (six per 1000 as opposed to eight per 1000).⁵ That same year, 130,000 new applications for telephone lines remained unprocessed, 70% of Haitians did not live near telephone service, and seven of ten calls were interrupted by bad service.⁶ According to the international agencies, only private investors could save these failing state systems.

The need for private sector involvement is woven through the World Bank's introductory statements on Haiti's needs: "The deplorable state of Haiti's infrastructure is due to poor state management of public utilities such as electricity, water, and telephones; ports; and road network. Inefficiencies in these

sectors discourage new private investment, raise transaction costs, and limit employment opportunities.”⁷ The World Bank points in contrast to the success the private sector will have in providing services that are necessary for the state and the economy to modernize and thrive. The World Bank proclaims, “Given the limited capacity of the state, a refocusing of government’s role to areas where it is critically needed is urgent.”⁸ According to the Bank, the government should not be in the business of service delivery but should take more fundamental actions like ensuring property rights, developing regulatory frameworks, and creating democratic reform.

While the World Bank seems committed to improving the Haitian government, the United States Agency for International Development (USAID) seems to have completely shifted its aid away from the government: “Successes to date are principally seen in areas where the private sector and civil society organizations are fully engaged in executing USAID-supported activities... To encourage these positive trends, USAID will redirect its [sic] democracy assistance away from the Government of Haiti institutions.”⁹ Having ended its justice reform program and its assistance to the police force, USAID will work around the government rather than with it. While governmental reform remains an agency objective, it is expected to be an implicit byproduct: “This special objective aims to spur economic growth by encouraging government reform through privatization of state-owned properties.”¹⁰ It is privatization that takes center stage here, while governmental reform is only “encouraged.”

Whether the international agencies want to work with the Haitian government or around it, they see privatization as the key to the country’s success. Haiti requires high levels of foreign aid to function: in 1995, half of the country’s budget came from external support.¹¹ Aid is not sustainable at these high levels, however, in large part because its provision depends on the political whim of the donors.¹² For the country to experience an economic improvement, then, it appears that private investment is crucial.

Anti-Privatization Views from the Haitian People

These economic arguments notwithstanding, Haitian people organized a massive campaign against privatization in the mid-1990s and succeeded in derailing the government’s plans for a swift transition from state-owned industries. With recognition that the movement to privatize has been weakened but not abandoned, opposition continues to this day. Coalitions from across the population, including students and workers, rural and city residents, left-wing politicians and religious leaders, have all objected to the economic exploitation that they believe will result not only from privatization but from any amount of private investment at all. There are three classes of objections: first, individuals’ fears of losing their personal jobs; second, populist concerns that privatization benefits the rich and hurts the poor; and third, communist rejections of the capitalist system. These three kinds of objections converge to support the strengthening of state control: even a failing government is at least nominally

beholden to its citizens, insists the anti-privatization view, while private industry has no such accountability.

The first class of objection is the most basic: workers in state-owned industries rally in support of their own jobs that they feel would be lost after privatization. These fears are not unfounded. The World Bank estimates that the ports, which currently employ over 800 people, would need fewer than 100 once privatized.¹³

The second class of argument makes up the bulk of the opposition: the results of privatization will be devastating to the Haitian economy and will disproportionately affect the poor. Prices will rise but service will stay the same, and state subsidies to the poor will end.¹⁴ Although the accuracy of these estimates is difficult to assess, the opposition further claims that the industries chosen to be privatized were actually making a profit. There are reports that the telephone company was making an annual profit of \$60 million and could thus have provided revenue for the government to improve services without privatizing.¹⁵

Additional objections point out that the people who seem to benefit most from privatization have never supported the needs of the Haitian people. One article cites a 1993 report from the United Nations Development Program that criticized the haphazard way in which privatization often took place: it "has been more of a 'garage sale' to favored individuals and groups than part of a coherent strategy to encourage private investment."¹⁶ Instead of ordinary people benefiting, former Macoutes and military coup leaders are taking leadership positions.¹⁷ In some countries, industries have been sold to cronies of politicians.¹⁸ In these cases, privatization can increase political patronage rather than decrease it.

Other arguments in this second group suggest that it is difficult to accept economic changes to support democratization when these changes take place during an economic downturn. When the cost of living rises faster than real wages, there is no reason to believe that an increase in private capital will rectify the situation.¹⁹ Further, there is suspicion about the motives of the international community.

While the international community's rhetoric supports privatization as a means to develop Haiti's independence, many Haitians have expressed the belief that privatization increases dependence on foreign capital. When the state loses control and becomes integrated into the world economy, it is transnational corporations that will hold the power.²⁰ As one labor activist pointed out, "Haitians are now getting paid 7 cents to sew shirts which the Walt Disney Corporation sells in the U.S. for \$11.97. That means Haitians workers get only .5% of the sale price while Walt Disney gets 99.5%... [W]orkers cannot feed their families or even themselves on the 11 cents an hour they make."²¹

The third kind of objection to privatization stems from rejections of capitalism itself. Haitian labor leader Yannick Etienne explains, "We are conscious that capitalism cannot be reformed in Haiti, where the devastation of capitalism has been so strongly felt. Our appeal for solidarity is an international appeal to fight this monstrous system."²² The controversial former U.S. Attorney General Ramsey Clark argues, "The greatest form of piracy ever created by the

human imagination is called privatization, and it threatens to take from [Haiti] the last shred of assets that might support the people. Things like the ports, the airports, and the telephone system, which is [sic] not much good, but it [sic] belongs to the people."²³ According to this argument, low-level quality that at least minimally serves the people is better than high-level quality that serves the new world economy.

A Political Problem, An Economic Solution

Ambivalence from the Haitian Government

If the arguments in support of privatization come primarily from the international donor community, and the arguments opposed to privatization come primarily from the Haitian people and from left-wing international coalitions, one crucial voice is still missing: where is the Haitian government? The national government is conspicuously absent from the conversation except as a whipping boy for both sides, vilified by the left as a tool of the international agencies and excoriated by the agencies for its inability to push the privatization plan through.

The government has demonstrated great ambivalence towards privatization in its actions. Although it worked nominally with the international agencies to carry out the plan, President Aristide's government made no formal policy proclamation to the people in 1995, when the implementation of the plan was about to take effect. There were no public debates or electoral discussions, which are difficult to hold in the best of circumstances, and Aristide's government had only just been re-installed with assistance from U.S. and U.N. peacekeeping troops. Instead, to the dismay and confusion of many, an Agence France Presse newspaper article broke the story on the government's plans for privatization, quoting the World Bank's Haiti expert but no government leaders.²⁴

It is likely that this ambivalence came in part from Aristide's change in position on privatization as his political role changed. As a radical priest outside the repressive Duvalier regime in the 1980s, Aristide had been head of the Initiative Committee Against the IMF, a group that fought against privatization and other elements of Structural Adjustment Plans.²⁵ As president, he was in the awkward position of defending the very institutions that he had once condemned. Aristide had to straddle two worlds to remain in power, needing to retain his homegrown image as a populist pro-poor champion while creating a new international image as a capable economic and political manager. This ambivalence demonstrated itself in Aristide's support of privatization when speaking to the press. He had international agency officials at his side but seemed unwilling to grant his Prime Minister full power to sign the IMF and World Bank documents that would commit the country to the privatization plan.²⁶

To be fair, the Lavalas-led parliament opposed privatization. However, with Aristide as the party's head, they surely took their cues from the president. The president himself, meanwhile, was trying to distance himself from other government leaders. One critic cynically analyzed that "the president intervenes personally, thus gaining political mileage and further propagating the myth that all

unpopular policies are not his responsibility, but the fault of those around him."²⁷ Such political maneuvering is not ultimately sustainable, especially in Aristide's new administration, which has been less popular since it was charged with vote tampering.

The Préval administration, sandwiched between Aristide's first and his current terms, inherited the unresolved privatization debacle. As *The New York Times* reported on the eve of Préval's inauguration, Aristide had left behind the problem that threatened to do the most damage to his political standing and reputation as champion of Haiti's poor, the privatization of government enterprises. Préval offered few clues to how he intended to conduct his presidency, other than to say it would be in a manner distinct from his predecessor. "My style is different because the situation is different," he said. "My name is not Jean-Bertrand Aristide. And because the situation is different, the policies will be different."²⁸

Despite President Préval's hope and confidence about his ability to enact the privatization plans, public opposition only increased under his administration. Préval's ambitious goal to turn over nine state-owned industries by the beginning of 1998 resulted in the privatization of only the cement industry and the telephone company. By 1999, plans to privatize the remaining seven industries were indefinitely stalled, thwarted by mass opposition coupled with more general political unrest: the resignation of a prime minister, an ideological split within the Lavalas party, violence following UN troop withdrawal, and the dissolution of Parliament in 1999 because of delayed parliamentary elections. While this unrest indicated that the political reality was complicated by much more than the conflict over privatization, the plans to privatize would live or die according to what the political reality would permit.

The Stability of Low-Level Equilibria: an Economic Model

The stalling of the privatization plan is not the result of a carefully thought through policy change. Instead, it represents stagnation by default: nothing has been resolved. If little has been privatized, what is more telling is that few improvements have been made in service delivery in the remaining state-owned industries. These industries may still "belong to the people," but they are still "not much good," in the words of former U.S. Attorney General Clark.²⁹ Up-to-date data are hard to come by, especially data that compare like indicators, but the evidence suggests that few real improvements in service have been made.³⁰ Even the opposition to privatization arises out of political suspicion and financial frustration; no one has actually suggested that the state can run the industries better.

Economists Spiller and Savedoff have developed a model that can be used to explain this default situation in Haiti: state-owned industries have reached and maintained "low-level equilibria."³¹ Spiller and Savedoff explain that "although multiple equilibria are possible in infrastructure sectors, low-level equilibria are the only stable ones."³² Governments have an incentive to "behave opportunistically," first by promising concessions to potential investors and then

trying to "reserve certain discretionary powers" to "shift the balance in what it may perceive as the interests of its constituents."³³

Private investors will be reluctant to enter a market rigged against them, and as a result, governments retain control of the industry. A price increase is then necessary to improve service, but because the industry is generally inefficient, the large price increase that is needed in the short run to overcome this inefficiency is not politically feasible. If prices are raised at all, they are not raised enough to cover the necessary investment, so the additional money does not improve service substantially. The result is a low-level equilibrium, "characterized by low investments, low quality, low prices, poor service and poor customer appreciation and support for the operator."³⁴

Although low-level equilibria are stable, no one really benefits from them, least of all the poor. Poor infrastructure is tied to poor socioeconomic development. On a macro level, the country's economy is hindered by inefficient services, while on a micro level, individuals do not have access to the services they need. Wealthier elites can bypass the inefficient state system either by buying favors from the government or importing additional services from elsewhere when necessary and possible. Poor people have no such recourse. The question, then, is how to break out of these low-level equilibria. Can privatization be the answer? An ultimate assessment of the arguments supporting and opposing privatization with respect to Haiti's social and political situation is needed.

Beyond Low-Level Equilibria: the Potential for Privatization

Sifting through the arguments for and against privatization in the particular context of Haiti is difficult because the sides are polarized and predictable. It is almost impossible to separate the intellectual assessments from the political contexts. Opposition to privatization is usually published in left-wing papers and folded in with broad oppositions to capitalism. Arguments in support of privatization generally come directly from the international agencies themselves and are thus suspect to the workers, students, clerics, and politicians involved in the domestic popular front.

More measured academic analysis of privatization in general suggests that the truth lies somewhere in between. Privatization can indeed hurt poor people if it is designed and implemented poorly; witness the decline in the standard of living for many people in the countries of the former Soviet bloc.³⁵ Results from well-constructed privatization plans around the world, however, indicate that it is possible for a poor country and its poorest citizens to benefit in the post-state-owned era. After implementing economic reforms that included privatization, Uganda was able to raise its GDP 3.5% annually and increase its social spending.³⁶ One study of sewage and water plant privatization in five Latin American and Caribbean countries reported that the continuity, quality, and extent of service generally increased.³⁷ The private company that controls the water system in cities throughout the Ivory Coast has waived 75% of its connection fees to provide services to low-income households.³⁸ Like these other countries in the

developing world, Haiti could potentially develop a privatization strategy that capitalizes on the benefits of privatization while avoiding the pitfalls.

Political Mishandling

This evidence suggests that privatization has the potential for both macro- and micro-economic development and has in some instances led to better, cheaper services for poor people in developing countries. Privatization could thus be an appropriate economic solution for Haiti under a plan that takes into account Haiti's social, economic, and political needs.

It would be tempting for President Aristide to concentrate on designing the best privatization plan and trying to push it through. Such a move would not result in success, however. The government's mistake has been to focus wholly on the technical construction of privatization plans with help from economists and financial strategists while ignoring the need to build consensus and support among the Haitian people. What has derailed and stalled plans for privatization has been political mishandling, not problems intrinsically connected to privatization. The Haitian government, first under President Aristide and then under President Préval, made several political mistakes in its privatization campaign. If the newly re-elected President Aristide wishes to move forward with privatization, he would do well to learn from these mistakes:

- *Underestimating the existence and extent of opposition.* Both the government and the international agencies erroneously assumed that the Haitian people would willingly support change simply because public management was inefficient.
- *Ignoring the concerns of the opposition.* Instead of responding to the opposition's specific fears about the loss of jobs, the continuation of poor service, and control by foreigners or Haitian elites, the government has offered vague propaganda or has remained silent.
- *Keeping plans secret.* While the World Bank was constructing the privatization plan and approaching potential investors, the Haitian people were not informed of the impending change and felt betrayed when the plan became public as a done deal.
- *Presenting an image of international control.* By agreeing to change so much so quickly, the Haitian government appeared dependent on international agencies, a perception that was underscored by the government's ambivalent support for privatization. This perception undermined government credibility.

The government needs a plan to correct these political mistakes before it can seriously think about privatizing any more industries.

A Strategy to Build Consensus

As the problem with privatization is essentially a political one, the necessary response is a political strategy. Each of the mistakes discussed in the previous section has a counterpart in a solution. The political strategy that follows will help President Aristide lead his government and his country beyond the current stalemate over privatization.

The government should anticipate and prepare for opposition.

Any discussion of privatization plans with the international agencies must take into account potential political backlash. Both the agencies and the administration need to move beyond blaming each other for the stalemate and instead seek out models of politically successful privatization plans. They should pay particular attention to the experiences of other countries in involving labor in the process. Because the political situation varies from country to country, a variety of models from around the developing world is necessary.

Members of the opposition come from different sectors of Haitian society: labor, education, and religion; peasants and low-wage workers; political parties in parliament; the shadow government; the diaspora. The administration should identify key players in each sector and consider where interests might be helpfully connected and where harmful coalitions could be blocked.

The government should specifically address the concerns of the opposition.

The first category of concerns: individual jobs.

The government needs to respond to fears about layoffs. Other countries have created unemployment packages and provided additional training under their privatization plans.³⁹ Such packages might be enough to convince workers that they will not be left behind.

The second category of concerns: privatization hurts the poor

The opposition objects to concentrating wealth in the hands of foreign investors or local elites at the expense of the Haitian poor. Although the World Bank's plans for the government recognized the need to avoid this situation, no plan was ever put in place to follow through.⁴⁰ The government should facilitate investment by labor unions and the general public in newly privatized industries before offering to sell to corporate investors. This strategy was used successfully in other developing countries.⁴¹

When the opposition provides evidence about the failure of privatization to help the poor, the government needs to provide counter-evidence. The government's public information about privatization seems to be limited to invitations to foreign private investors.⁴²

Although the telephone company was sold two years ago, no information on the results of that sale has been made public. While this sale is touted as an industry success, the success seems to have ended with the sale itself rather than any improvements in services.⁴³ If the government wants to convince the public of the benefits of privatization, it must gather convincing evidence of such benefits.

Another opposition concern is that multinational corporations will gain and abuse monopoly power. The government could avoid this abuse by encouraging competition within the industry, a strategy that has garnered political support in other Latin American countries and that has also resulted in improved service.⁴⁴ Where natural monopolies exist, the government should examine the appropriateness of privatization in light of the effectiveness of regulation and the need for capital investments beyond what the state can provide, with the primary goal of providing better services for as much of the country as possible.

Finally, the government should expand the possibilities for a re-organization of the relationship between the state and its industries. Instead of focusing only on full privatization, alternatives such as contracting out and devolving control to local authorities should be explored.⁴⁵

The third category of concerns: capitalism must be overthrown

Although the opposition uses anti-capitalist rhetoric to attack privatization, the engagement of the government in this debate will not be productive. Addressing the first two levels of substantive concerns will go a long way towards undercutting the argument about structure and process.

The government should support public debate and dialogue.

The government may be afraid that engaging with the opposition will only encourage it, but the initial World Bank plans for privatization recognized that public debate was essential to the success of any privatization plan: "The process should be open to public scrutiny, possibly through an awareness campaign and open debates.... The government must achieve both popular grass-roots support and political consensus."⁴⁶

The challenge is to make this public exchange a productive dialogue rather than a propaganda campaign. Participating with members of the opposition in neutrally organized academic or religious conferences would provide a good start. Recognition from the government that gathering political support is a necessary long-term project should encourage wider participation.

Another way to support public debate is through the construction of a regulatory board to oversee the newly privatized industries. One economist suggests that the best way for post-privatization government and industry to serve the public interest is through "a regulatory body [that is] committed to reaching decisions and resolving disputes on the basis of *transparent* application of economic principles that are *publicly articulated* before the commercial investment is ever made by the private market [*italics added*]."⁴⁷ A public, joint

construction of these guidelines could involve the opposition in crafting a plan they would be willing to support.

Yet another way to involve the opposition is by creating an inclusive committee whose mandate is to study the effect of privatization in other countries. The committee could consider successes and failures and make recommendations about how Haiti should proceed. Sub-committees could focus on the experiences of individual industries and shared problem-solving could bring opposing sides together.

The government should ensure national control over privatization plans.

Taking the above steps should help quell fears that international agencies are in control. In large part, this is because anticipating the opposition, responding to its concerns, and supporting public debate requires that the government commit its full support to privatization. An ambivalent position only supports the idea that the government is not its own boss; a strong, reasoned position will strengthen its credibility.

International agencies and independent economists have suggested that to benefit from economies of scale, the post-privatization regulatory board should be international in composition. While perhaps this goal is appropriate in the long run, in the short run it will only contribute to the opposition's suspicions that the Haitian government is not in control. Such boards should be Haitian-only for some time. Involving members of the Haitian Diaspora might be a way to capitalize on outside expertise while still retaining national power.

The initial plan to privatize nine state-owned industries by the end of 1998 was too much too quickly. It was easy to charge that the government was doing the bidding of the international agencies without prioritizing or making its own judgments. Slowing down the drive towards privatization by focusing on one industry at a time would undercut this accusation. It would also diminish the potential for the opposition to build derailing coalitions across sectors.

Conclusion

On the surface, the privatization issue seems less pressing than it was when President Préval took office six years ago. While Préval faced questions about privatization from his first minute in office, interviewers after President Aristide's inauguration in February 2001 ignored the issue, expressing more interest in the end of the UN mission in Haiti, the recent surge in violence in Port-au-Prince, and the creation of the shadow government that contests Aristide's legitimacy. The December 2001 attempted coup may suggest that there are other more urgent questions on the president's agenda.

Although the privatization issue no longer dominates the agenda, it remains a critical question: the international agencies have not given up their stipulations, and the opposition has not given up its objections. Stalemate and stagnation are no solutions; if the country is to improve its relations with the international community and make political and economic progress at home, the

privatization issue must be resolved. President Aristide should build a political bridge between the economic rationale for privatization and the fears about its economic consequences. A strategy to build consensus has the potential to develop a blueprint for privatization that will unite the country and deliver better services to all.

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⁹ U.S. Agency for International Development. 2000a. "Welcome to USAID/Haiti". 7 April 2001 <<http://www.usaid.gov/ht/welcome.html>>.

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¹⁷ Against Great Odds, Anti-Privatization Mobilization Continues. 1996. *Haiti Progres*. 7 April 2001

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PUBLIC PRIVATE PARTNERSHIPS: AN ANSWER TO ECONOMIC APARTHEID IN THE DEVELOPING WORLD

ANGIE DATTA

“Economic apartheid” describes the chasm that separates the impoverished citizens of the developing world with the wealthy elites of more developed societies. Public-private partnerships provide a powerful tool that can be leveraged to close this gap. The case study of Nepal is used to illustrate how such partnerships can create stronger democracies, and the lessons then are generalized. Consideration is also given to changing international circumstances following the September 11, 2001 attacks, and the greater opportunities and demands these conditions create for the use of public-private partnering arrangements”.

Introduction

In this new millennium, it is necessary to contemplate the painful, yet necessary task of reinventing government roles in many developing countries that are plagued by high poverty, low literacy, and a lack of basic services. The laundry list of development problems in South Asian nations like Nepal make clear that no one answer will be a panacea for all problems. However, public-private partnerships may provide a means of drastically improving the basic provision of services, thus reducing harmful divides between classes.

One of the most pressing political challenges faced by developing nations is that of economic apartheid. In Nepal, economic apartheid has led to an increasingly violent and visible Maoist insurgency, targeted at corrupt government officials, police, and businesspeople.¹ The underlying cause of this unrest is poverty, created in part by the inability of centralized governance structures to deliver funds and services effectively at the local level.

While the Local Self Governance Act of 1999 decentralizes delivery functions in theory, the national Ministry of Local Development effectively prevents the true devolution of power. The result is a national decentralization policy that is not backed by appropriate levels of capacity on the local level. Given the lack of government funds to remedy this problem, it is clear that private sector participation and public-private partnerships must be a crucial part of any effective development strategy.

The initial steps in building these partnerships will be the formulation of a vision and the analysis of global best practices in this area. The approach to public-private partnerships need not involve every sector, although there is evidence that multi-sectoral movements are more sustainable. This paper acts as a starting point for these discussions by looking at both the past and future of private sector cooperation in Nepal. It argues that although much of the groundwork for public-private partnerships has been completed, a fundamental paradigm shift in thinking has yet to occur.

The recommendations offered in this paper are considered achievable in the near and medium term. They focus on the need to start an active and forthright dialogue about private sector cooperation amongst government, NGOs, civil society and donors. In addition, the need for institution building and education is discussed. The recommendations are based on qualitative research conducted in Nepal in 2001, in which **all stakeholders** identified the following principal requirements in order to move the partnership agenda forward:

- The creation of a Vision Paper for private sector participation and the role of public-private partnership (PPP) in poverty reduction
- The development of Stakeholder Dialogue and Education programs to communicate the benefits of and need for PPP as a development tool
- The strengthening of institutional capacity to implement PPP as a sustainable development alternative

The Current Status of Public-Private Partnerships (PPP)

Examples of public private partnerships exist in Nepal in many sectors including transportation, education, health and water supply. To date, however, most PPPs have been implemented on a small scale with limited success. On the national level, the following public entities were privatized after the year 2000:

- Bhrikuti Paper and Pulp
- Harisiddi Brick and Factory
- Bansbari Leather Industry
- Balaju Textile Industry
- Nepal Film Development Company
- Raghupati Jute Mill

In addition, approximately 8 municipalities have been active in over 40 projects in PPP according to 2000 data. The following were the most popular PPP projects that were implemented in municipalities:

Type of Projects	Number of Documented Projects
Slaughterhouses	6
Bus Terminals	5
Cold Storage	3
Vegetable Markets	3
Solid Waste Management	3
Parking	3
Shopping Complex/Bazaar	3
Drinking Water Supply	2
Low cost housing	2
Electric Vehicle	1
Urban Road	1

In these cases, “public” refers to the government (central or local), while “private” refers to non-governmental entities, which can be:

- Informal: individuals or groups of individuals who have formed user groups or community based organizations (CBOs)
- Formal: Private businesses, companies, registered non-government organizations (NGOs), and INGOs

“Partnership” refers to any form of agreement between public and private parties with respect to the provision of goods or services. Thus, agreements with CBOs, NGOs, and user groups qualify. In this sense, PPP is a generic term that covers all forms of transaction including private sector participation and privatization. Agreements are typically classified under the following arrangements:

- Service agreements
- Contracting out
- Management contracts
- Leasing
- Build, operate, transfer (BOT)
- Build, lease, transfer (BLT)
- Turnkey
- Franchise
- Concession
- Build, own, operate, transfer (BOOT)
- Build, own, operate (BOO)
- Privatization

Existing Literature on PPP in Nepal

The current literature on PPP and private sector development is wide in terms of lessons learned globally, but narrower for Nepal-specific PPP. The key documents are two assessment papers by UNDP on “Public Private Partnerships for the Urban Environment”² and “Decentralization in Nepal: Prospects and Challenges”³, a DFID funded case study on “Solid Waste Management Partnership in Biratnagar, Nepal”⁴, and ADB’s “Institutional Strengthening of Kathmandu Metropolitan City - Policy Framework for Private Sector Participation”. Each should be examined in turn.

Public Private Partnerships for the Urban Environment

The last 2 years of budget speeches are replete with policy rhetoric supporting PPP programs. In practice, however, the government has been slow to work with the private sector. The case of the trolley bus between Bhaktapur and Kathmandu is a clear example of government paralysis in facilitating PPP. Even

through there are frequent ideas to extend the trolley system, current tariff controls and the poor condition of the existing system make it an unattractive prospect for private investors. While central government interviews revealed support for PPP, there was also an acknowledgement that politicians in key agencies were not committed. Government also voiced the perception that donors focus too much on the software aspects of PPP, when concrete demonstrations of working, physical PPP projects are needed.

NGO's placed some blame on the lack of a clear legal and administrative framework that could be shared with stakeholders. Policies at the municipality level are not clearly defined for PPP transactions, most notably in budget documents. Knowledge and skills for negotiating PPP contracts appear to be weak in all the municipalities in the UNDP Urban Environment program (Nepalgunj, Butwal, Biratnagar, Pokhara, and Byas). A stumbling block in some projects has been the perception that donors will come into the project to subsidize building and construction costs. This indicates that fundamental business rationales of risk, sustainability and the "user pays" principle have not been fully grasped at the local levels.

Notwithstanding this fact, many of Nepal's larger municipalities have developed lists of potential PPP projects. The local Chambers of Commerce and Industry (CCI), however, explicitly stated that they had not seriously considered PPP since it was new and untried. The CCIs expressed confusion in preparing proposals and understanding how the municipalities would interact with private managers. Furthermore, although awareness of PPP is growing, the "user pays" principle is not likely to be accepted in the near term.⁵

Perceptions of PPP Feasibility

Preconditions for PPP	SCORE*
<u>Municipalities</u>	
Political Commitment	3
Trust in Private Sector	2
PPP Policy Framework	2
PPP Procedures	1
PPP Knowledge and Skills	1
<u>Chambers of Commerce and Industries</u>	
Commitment	4
Trust in the Public Sector	1
PPP Procedures	2
PPP Knowledge and Skills	2

* On a scale of 1(=poor) to 5(=good)

Decentralization in Nepal: Prospects and Challenges

This study looked at both the legislative and regulatory frameworks for PPP, as well as seven donor supported decentralization programs. Findings show that local government planning and service delivery is still weak and

uncoordinated.⁶ Local governments and NGOs have failed to cooperate effectively and the involvement of private firms has been noticeably lacking. Civil society groups, like user associations, tend to be dominated by local elites, and grass roots institutions are still learning to become effective in bargaining and influencing local government. In districts and villages where social mobilization programs are promoted, the capacity of local, membership-based, community-based organizations to interface with the local government has been enhanced.

The study recommends a review of private sector and civil society engagement with local government in order to build knowledge and assess replicability. It encourages increased partnership and better coordination between private sector, NGOs and government bodies. It further calls for user committees and community organizations to play an important role in planning and delivering services, and facilitating private sector participation.⁷

Solid Waste Management Partnership in Biratnagar, Nepal

The Biratnagar Case Study provides one of the few examples of a PPP project that has been documented, implemented, and evaluated. Despite this fact, Biratnagar's efforts to contract municipal waste services to the private sector have not been without difficulties, and the project still struggles with issues of sustainability. The chief issue with PPP in this case is contractual, as the existing agreement heavily favors the municipality in the following ways:

- The private contractor assumes all the risk
- Municipality is eligible for 10% of profit, but not liable for loss nor investment
- Operator has fee collection responsibility
- Operator must develop its own customer base
- Operator must undertake landfill and recycling facilities without municipality contribution

In spite of these contractual elements, the operator is willing to remain in the PPP because of its long-term strategy to build market share in environmental services in Nepal. The partnership links upstream waste disposal activities with downstream collection services. The division of labor between the private operator and the municipality is as follows:

Municipality Responsibility	Private Operator Responsibility
Collection of waste (up to 20 m ³ /day)	Household collection (22 m ³ /day)
Street sweeping (28 km in ward) Drain Cleaning	Street sweeping (14 km in core areas)
Public Awareness campaigns	Transfer to disposal, recycling depot Landfill, waste incineration of hazardous, medical and industrial waste, paper recycling Developing innovative processes

Although the original contract mandated the creation of a landfill to stop dumping, this clause has not been implemented due to high costs. A lesson from this project may be that high cost, high technology proposals are not self-sustaining without a "user pays" arrangement or high government investment. Regardless, the Mayor reports that most councilors are satisfied with the PPP experience and are willing to pursue other private sector initiatives in service delivery. The project is viewed favorably, as it provides a tangible demonstration of the effectiveness of PPP, and has provided an important learning opportunity for all involved. Service delivery has improved in the past 3 years, with more areas serviced and pro-poor strategies used for employing street sweepers.

Institutional Strengthening of Kathmandu Metropolitan City

In Nepal, private sector participation in the provision of basic services is most prevalent in Kathmandu. As part of a technical assistance program, several objectives for private sector participation were met by Kathmandu Metropolitan City (KMC) that yielded tangible results. The bus park concession project, vehicle tax management, solid waste collection contract, and slaughterhouse contract have each improved KMC's service capacity through private sector delivery.

However, more work still needs to be done in order for KMC to better institutionalize the private sector guidelines into standard procedures. An Executive Task Force for Private Sector Participation and a Private Sector Participation Policy Paper were developed with private sector representatives and KMC Officials, and the development of a policy framework for private sector participation was approved by the Municipal Board. It explicitly states the terms of PPP, thus enabling private investment. The policy also identifies a number of PPP and private sector participation opportunities including expanding current urban services, construction and management of basic facilities and developing specific new projects. Towards this end, the city has developed institutional arrangements to facilitate PPP and private sector participation through the establishment of a high-level committee, task force and secretariat.

Lessons from Existing PPP in the Nepali and Global Context

Common Failures

It is important to note that PPP is a modality that is well accepted globally. There are many documented cases where PPP has worked successfully, and many others have failed. The major lesson to be drawn from these historical cases is that there is no "cookie-cutter" approach to PPP, as it is a highly local and sector specific initiative. One common failure stems from an inability to recognize this critical fact.

That said, some sectors seem better suited to PPP than others. Urban services, infrastructure, and ecotourism are well-documented, successful sectors for PPP. Health and education, on the other hand, are less successful in terms of their track record for PPP delivery. In any sector, though, the number one cause of PPP failure is the unequal treatment of partners, often due to unfair and poorly constructed contracts.

A third source of failure is a lack of external funding, almost always needed for the preparatory stages of PPP. Proper PPPs often require feasibility studies, business plans, contract education, and capacity building. However, the gestation period for these prerequisites is often long and expensive. A failure to appreciate the extent of start-up costs can severely undermine the sustainability of the PPP initiative.

Municipal Services

Although the examples of PPP in Nepal are somewhat limited in scale and geography, there are common themes that run through the different programs. These themes reflect the current enabling environment and underscore success-criteria for PPP in the future. Notably, current PPP implementations have been successful at the municipal, rather than the rural, level, with service delivery that is project based rather than large-scale implementation based.⁸ The increased focus on private sector development along these lines can be seen in the Thematic Group meetings of the donors, other donor community initiatives and selected government discussion forums.

Business Development Services

The private sector is not vibrant or fully developed in every industry and sector outside of Kathmandu Valley. As a result, PPPs tend to focus on very basic services. However, business development services such as marketing, advertising, and information technology are starting to be developed. This new trend is a function of both new donor programs aimed at developing entrepreneurs as well as the emerging class of technology and business trained professionals in Nepal.⁹

The private sector has been involved in the implementation and preparation of many donor projects for a number of years, in the form of local consultants and contractors. Although not explicitly labeled PPP, the contracting

of local entrepreneurs for the preparation, construction and implementation of projects is an important conduit for developing the private sector. This experience is evidence of the potential gains from increased private sector involvement.

Capacity Building and Extension

Across sectors, the need to build capacity and educate stakeholders and beneficiaries is crucial. Typically, donor or external seed money is necessary to provide start-up planning, feasibility studies and phased implementation studies. In the agriculture inputs sector, there are many irrigation projects supported by donors, but these programs are seldom supported by farmer extension and training. The Department of Irrigation and the Department of Agriculture have the budgets and mandates to provide research and extension; however, the extension services are often small and inadequate for the scope of the project.¹⁰ Within the central government, the research component tends to absorb the research and extension budget and little is left for the extension. This is problematic because the lack of training can jeopardize the effectiveness of the entire project.

In addition, centrally based extension officers often lack the local knowledge necessary for implementation. Moreover, they carry a high overhead, and thus high cost, in comparison to local NGOs or CBOs in delivering services. In several donor assisted irrigation projects, training was contracted to NGOs or CBOs, and found to improve effectiveness.¹¹ In consequence, the government agreed that outsourcing extension services through loan money was an effective and necessary means of ensuring the viability of loan projects.

Commercialization of Agriculture

The commercialization of agriculture is cited as a priority area for government and was cited in the FY2002 budget. However, the private sector has not been adequately engaged in the commercialization. Those public private partnerships that have been successful have been initiated by local municipalities and entrepreneurs, in slaughterhouses, vegetable markets, and cold storage. However, the lack of an overall strategy for the development of PPP has led to overdevelopment in some areas, sharply reducing profits and undermining the viability of PPP initiatives.

A common problem is that the focus of agriculture projects is on production rather than marketing and business services. Some notable exceptions are the few dairy processing plants that have mobilized farmers into a supply cooperative, responsible for supply and distribution in the Kathmandu valley. The farmers are all issued shares in the company and they split profits. These types of mechanisms are not widespread because small farmers see other farmers as competitors, and do not realize the benefits of collectively organizing and marketing their products.

Regulation and Licensing

The government has an important role to play in the regulation of vegetable markets, slaughterhouses, and cold storage facility ventures. Licensing to ensure that markets do not become over-saturated is a typical instance of government intervention in the market. In vegetable markets, policies restricting sales to certain areas are another example. Proper regulation can also help deal with issues like urban waste disposal. In the case of slaughterhouses, the government can institute health standards. In any of these cases, regulation is an important element in the realization of government's overall strategy.

Impediments to Private Sector Development in Nepal

The impediments to effective private sector development and PPP can be grouped as follows:

- Unfriendly legal and regulatory framework
- Underdeveloped private sector
- Lack of political will

These three broad groupings are interdependent and the current thinking is that by reforming the legal and regulatory framework, a stronger private sector and political will to change will emerge.

Unfriendly legal and regulatory framework

The World Bank completed a study in December 2000 in cooperation with the Federation of Nepalese Chambers of Commerce and Industry (FNCCI) entitled "The Business Environment and Manufacturing Performance in Nepal".¹² Although the survey addresses obstacles within the manufacturing sector specifically, the majority of the issues identified can be cited as problems in other sectors as well. The biggest obstacles to doing business in Nepal were poor government, lack of demand and inadequate capital.

The World Bank Study reinforces the 1999 National Planning Commission study entitled "Strengthening the Industrial Sector in Nepal", and also uncovers additional business impediments in Nepal.¹³ Government – which includes its policies, regulations, and bureaucratic burden – is cited as the biggest business problem for 40% of the 223 firms surveyed. On the other hand less than 10% of firms cited labor, business support services, and shortage of inputs or trade regimes of foreign governments as problem number one.

Undeveloped Private Sector and Lack of Political Will

These two issues are inextricably linked and potential solutions will need to address both to be sustainable. Recent events in the political and security arena are harming the business and investment climate in Nepal. FNCCI is particularly

worried about the consequences that internal security will have on investment and have commissioned a high level group within FNCCI to study the current situation and submit recommendations to government over the current business environment of the country.¹⁴ More broadly, the plethora of state owned industries and lack of skilled labor and credit channels inhibit private sector innovation. Large industrial houses dominate private sector activities in Nepal and often win licenses for new activities and industries. This crowds out innovations in the SME sector which has the potential to generate wealth among the middle classes.

Enabling Environment Initiatives in Nepal

Governance Reforms

The initiatives in corporate and financial governance are aimed at building an enabling environment by creating legal frameworks and financial reforms that will improve transparency and accountability, resulting in lower barriers to investment. The Corporate and Financial Governance (CFG) Project deals with the policies, laws, regulations, and institutions that govern the relations between companies, the financial sector and the Government. The CFG project will directly impact private sector development by strengthening governance, improving business ethics and reducing corruption. The underlying premise of good CFG is that transparency and accountability in the corporate and financial sector will be the basis for healthy economic development and private sector development.

10th Country Plan

The 5-year plan will address private sector development in accordance with the policies determined by the National Planning Commission. Technical Assistance projects are currently underway to develop an Industrial Perspectives Plan as well as a review of the Agriculture Perspectives Plan, which will be incorporated into the 10th Plan.

FY2002 Budget

The FY2002 budget has several clauses that speak about the role of the private sector. The various financial sector reforms introduced in it will create an improved investment environment, although the interest rate decreases will do little to counter political instability and the risk factor of investing in Nepal. The initiatives for the private sector in the FY2002 Budget Speech include:

- Commercialization of agriculture
- Improved investment licensing, special industrial zones, export promotion, and dry ports
- Increase in share limits for Foreign investors in joint ventures

- Private sector investment encouraged in non-core SOEs
- Funds for entrepreneurship development
- Establishment of IT Park with Venture Capital Fund for training 20,000 professionals

Setting Private Sector Policy in the Nepali Context

In the Nepali context, there are important considerations for private sector development based on the governance reforms that are currently underway in several Ministries. The Local Self-Governance Act and associated Rules of 2000 have given decentralization fresh momentum. This momentum, along with good governance reforms, will be an integral component to developing the private sector in Nepal.¹⁵ In this context, the PPP modality has particular promise, as the government can work with the private sector, rather than completely handing over responsibility.

The following lessons learned from the waste disposal PPP in Biratnagar should be considered for any potential PPP initiative in Nepal:¹⁶

Partnership Definition

- Sustainable contracts are reasonable contracts
- Preparation is the key to an effective and sustainable contract
- Transparency provides opportunity to check authenticity

Financing Issues

- Adequate financial provisions need to be made for high start up costs
- Proper cost reporting is essential for sustainability
- Be wary of high technology proposals in low-income contexts

PPP Design

- Project gestation periods are likely to extend over a lengthy period
- Integrated systems ensure better primary service operation
- Division of responsibilities should be designed strategically to maximize efficiency
- Labor issues are crucial

Capacity Building

- Capacity building is necessary for all partners and customers
- Franchise forms of PPP contracts create significant structural difficulties
- Enforcement mechanisms need to be in place to encourage user compliance

Summary of Recommendations

In sum, this analysis suggests two broad groupings of policy recommendations for Nepal. They are summarized as follows:

Development of PPP Concept Dialogue

- Coordinate and overview Private Sector Perspectives Plan within existing governance reform context that recommends a redefinition of government's role.
- Develop a stakeholder seminar series to formulate private sector vision, goals, and government involvement as a continuation of the Regional Forum on Public Private Community Partnerships.
- Enhance donor coordination in advocating private sector involvement in agriculture, urban environment, ecotourism, and infrastructure.

Capacity strengthening for private sector

- Integrate private sector into existing policy documents
- Use social mobilization programs as outreach for educating on PPP
- Focus on successful demonstration effort projects that provide visible benefits
- Create policy environment for private sector involvement in seed production and competitive food and dairy processing
- Communicate findings of shallow tube well research to the government and in the need to involve private sector in water pump and tubewell technology
- Build environmental monitoring and auditing capacity of the relevant government body
- Assist in implementation of environmental protection laws in Kathmandu

Conclusion

On balance, PPP in Nepal is a concept that is here to stay. The pace of urbanization and population growth simply will outpace the ability of the government to meet the demands of this changing demography. That being said, PPP should be entered into cautiously and only in sectors where there is political will and where PPP modality is best understood in its correct context.

The lessons learned in Nepal and elsewhere permit the formulation of policy guidelines, action plans, and evaluation mechanisms which should assist in future PPP ventures. Sensitizing the government and civil society to private sector involvement will require cultural shifts. However, there is evidence of progress even in the present, which speaks well for the future. Luckily, those PPPs that have failed have been well documented, increasing the possibility that their mistakes will not be repeated.

The existence of PPP is an important tool both to improve service delivery and also to show potential trading partners and the WTO that Nepal is both private sector friendly and able to compete in areas like light industry and tourism. The attractiveness of PPP is that it can give foreign investors assurance that the private sector and government can work together in effective ways that are mutually beneficial.

A problematic reality of development in Nepal is that policy frameworks are well intentioned and comprehensive on paper, but implementation is sorely lacking. There are many policy documents on development including the PRSP, 10th Five-Year Plan, Donor Country Assistance Frameworks, etc. For a new strategy to be introduced that cuts across sectors, it will need to integrate these documents, rather than create another separate document.

Effective development in Nepal will require realistic goals and incremental changes. Though perceptions of mistrust, divergent agendas, and poor policy environment have inhibited PPP and private sector participation in the past, properly framed PPP initiatives can still be a powerful tool for sustainable growth that delivers the promise of growth and opportunity to the people of Nepal.

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HUMAN RIGHTS

SECURING THE RIGHT TO FOOD IN BURMA: POLICY CHOICES AND TRADEOFFS

JONATHAN SHEFF

The military government of Burma is systematically engaging in practices which deprive the Burmese people of their ability to produce and provide sufficient food. The evidence leading to this conclusion is clear and compelling. The people of Burma have set up The People's Tribunal on Food Scarcity and Militarization in Burma in an effort to draw attention to their situation, and to urge the international community to help them secure their right to food. To achieve this objective will require a complex range of efforts. Unfortunately, it is unlikely that this right will be fully secured for the foreseeable future. There are, however, effective measures which can be taken to help move the people of Burma towards greater food security.

Historic context

Located on the Bay of Bengal, Burma shares its western borders with Bangladesh and India, and its eastern borders with China, Laos and Thailand. The name Burma comes from the majority ethnic group, the Burmans, one of about 16 primary ethnic groups within the country's borders. Originally made up of ethnic chiefdoms, Burma did not have a unified border until it was fully annexed by the British in 1886, who administered it "as a province of India until 1937, when it was designated a separate administrative state"¹. Following independence in 1948, Burma's colonial boundaries were maintained.

In 1962 General Ne Win seized control of Burma in a military coup. For almost thirty years he ruled the country as a repressive military dictator. Following his own brand of socialism, Ne Win closed Burma completely, cutting it off from the international community and all foreign influence. In 1988, there were massive demonstrations against the government and in favor of democracy. These demonstrations met with bloody reprisals. Military law was proclaimed, and roughly 3000 protesters were killed. On September 18th, 1988, Ne Win handed power over to the State Law and Order Restoration Council (SLORC), a military council made up of twenty-one generals². It was they who renamed the country Myanmar.³

Nine days later, the National League for Democracy (NLD) was established, led by Aung San Suu Kyi, the daughter of Burma's most revered independence hero. She was put under house arrest by the SLORC in July, 1989, where she remained for six years. During that time, in 1990, general elections were held, and the NLD won an overwhelming 82 percent of available seats. The SLORC refused to hand over power, and for more than a decade they have ruled Burma by military law. They persist by systematically suppressing the democratic movement, arresting, imprisoning, often torturing, and sometimes killing democratic supporters and representatives. Over this same period, roughly fifteen ethnic rebellions have arisen, but the SLORC has been able to negotiate ceasefires with all but two of them. The SLORC—since reorganized into the State Peace and

Development Council (SPDC)⁴—continues to rule Burma with unmitigated brutality.

Since 1988, Burma has begun to open itself to the outside world. The response of the international community has been mixed. In 1997, U.S. President Bill Clinton declared Burma to be a pariah state. In the same year, Burma was granted full membership in the Association of South East Asian Nations (ASEAN).

Food Scarcity in Burma: Findings of the People's Tribunal⁵

The practices described by the People's Tribunal on Food Scarcity and Militarization in Burma are widely corroborated by other sources, including the UN Special Rapporteur of the Commission on Human Rights, the U.S. Department of State, and several human rights organizations. According to the Tribunal, "food scarcity is a national trend which varies according to regional, political and economic conditions."⁶ For clarification, they have divided the country into three different types of regions: "civil war zones," broken down further into areas outside of SLORC control and areas only partially under SLORC control, and; "non-civil war zones", or areas within SLORC control (People's Tribunal 1999, 17). These regions are each subject to different measures, undertaken by the military regime, which contribute to food scarcity.

Civil war zones outside of SLORC control

In these areas, "all people are suspected of insurgency and are treated as the enemy."⁷ They are so-called "free-fire" zones, where soldiers may "shoot anyone on sight without the need to determine identity."⁸ To control these zones, the Tatmadaw (the Burmese military) have "devised what is known as the 'Four Cuts' strategy to deny rebels food, money, communication and recruits. In practice, the strategy does not differentiate between combatants and civilians."⁹ In these areas are found the most brutal tactics which lead to food scarcity: Villages are razed, stored food is stolen, destroyed, or surrounded by mines, crops are burned or pulled up from the ground, and livestock is killed and eaten by government soldiers.

Further, as part of this strategy, hundreds of villages are forced to relocate. People are cut off from their fields and often driven into forced labor, preventing them from engaging in food production. As well, many people are simply displaced by violence, forcing them into the jungles where they are unable to grow or carry food. One account graphically describes how, under these circumstances, even "food can become a liability:"

The villagers of Nwar Lay Khoh knew that troops were approaching, so they began to evacuate their houses. They fled into the scrub, dangerously close. They had to kill roosters and geese, because their cries travel far and might reveal the hideout. For security, dogs too were beaten to death—there is a lot in the jungle to bark at.¹⁰

The Asian Human Rights Commission (AHRC) estimates that between 1996 and 1999, the military “forcibly relocated over 1400 villages through 7000 square miles [and] over 300,000 people [were] ordered to move at gunpoint into strategic relocation sites.”¹¹ All of these factors, along with others, have a significant impact on the ability of people who live in these regions to produce sufficient food.

Civil War Zones partially under SLORC control

In these regions, civilians get “caught between insurgents and the government.”¹² In one area, the Tatmadaw announced the following repercussions for civilians in this predicament:

- Any village where insurgents fire a gun must relocate within seven days;
- If insurgents attack Tatmadaw territory, all villages through which they pass must move;
- If any Burma army soldiers die in combat, the nearest village must pay compensation of 50,000 kyat¹³ for each dead soldier;
- If insurgents take Tatmadaw equipment or food, the nearest village must pay to replace it;
- If Tatmadaw loses guns, the nearest village must pay 15,000 kyat for each;
- Any village where a battle takes place or where insurgent supporters are exposed will be burned to the ground;¹⁴

These arbitrary punishments and “taxes” force people to move to non-cultivable areas, and rob them of the scarce funds they need to feed their families. Another common practice of the Tatmadaw in all regions is forced labor.¹⁵ Tantamount to slavery, forced labor has a major impact on people’s food security. Farmers forced to work on development projects for the state are prevented from growing food. Further, because their work is not remunerated, people cannot afford to feed their families. Many of these forced laborers are required to engage in very dangerous work as porters for the army. Most are fed poorly, or not at all.¹⁶

*Non-Civil War Zones within SLORC control*¹⁷

Burma remains a subsistence agriculture economy. "Rice is the staple crop and staple food, and it is the commodity which determines food security or scarcity."¹⁸ Because of this, the most significant factor contributing to food scarcity in Burma is the paddy quota system. Under this system, rice farmers are required to sell a designated number of baskets per acre to the Myanmar Agricultural Produce Trading (MAPT), an agency of the SLORC. The rice quotas demanded by the MAPT "rose steadily from 1988 until 1995."¹⁹ One of the most insidious features of the quota system is that the number of baskets each farmer must sell is fixed at a per acre rate, regardless of actual production. As a result, if there is a poor harvest farmers are forced to buy extra rice to meet their quota. Compounding this problem is the fact that the discounted price paid by the MAPT is sometimes as low as "one-third to one-fifth," but generally around half the going market price.²⁰ As such, farmers must buy their extra rice at market value, and then sell it to the MAPT at a significant loss.

Households which fail to fill the quota face a variety of consequences. While arrests and beatings have been reported, more common is the confiscation of paddy land, for redistribution...Farmers have also been sent to labor camps to work off their debt. In Irrawaddy Division, local military authorities are said to have ordered no milling of harvested rice for consumption or trade until entire villages filled their quotas. Lastly, farmers have been threatened, scolded and publicly abused by government rice procurers dissatisfied with their quota.²¹

In order to fully appreciate the impact of this quota system, one must also recognize that much of the rice procured by MAPT is exported. The SLORC is using the paddy quota to purchase rice at a discount so it can sell it on the world market for a major profit. "The government forces people to raise crops for export even when they have nothing to eat."²²

The cumulative effects of these factors are well summarized by one of the Tribunal witnesses:

Taxes and oppression are starving the village. There's no time to work, only to pay taxes and do forced labor; many villagers have little food. Some must eat porridge, some only water skimmed off boiled rice...To feed the children some adults go without food for one or two days at a time. Even so, children increasingly suffer diarrhea, sore stomachs, and death.²³

The SLORC's Perspective

The name of the SLORC, the State Law and Order Restoration Council, is indicative of its mission. The SLORC believes that it is the one unifying force

within the country, and that if it does not preserve order, the country will collapse amid factionalism and ethnic conflict. The SLORC maintains that since it is dealing with armed insurgents on every side, it is forced to employ such tactics as the "Four Cuts" strategy in order to prevent further escalation of conflict.

In response to these arguments, it must be admitted that there are multiple factions within the country's borders, and that they do potentially threaten to undermine the stability of the state. In fact, "the civil war in Burma erupted almost immediately after Burma gained independence from the British in 1948...[and] ethnic insurgent movements continued to proliferate in ensuing years."²⁴ However, while this may be the case, many of the SLORC's efforts to contain insurgent groups directly contravene widely recognized international agreements. For example, in its targeting of civilian populations, the SLORC's "Four Cuts" strategy clearly violates the Geneva Convention:

Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.²⁵

In addition, claims of political disunity and factionalism, while based in reality, do not necessarily spell disaster for the state. In fact, there is a great deal of common cause amongst Burma's ethnic groups, largely found in universal opposition to the SLORC. As well, Aung San Suu Kyi and the NLD command broad public support, which has been established more than once in agreements signed by almost every Burmese ethnic group.²⁶ This evidence indicates that if they were to hand power over to the NLD, the party's broad appeal would lead ethnic factions to set aside their differences so internal order and peace could be established. As such, the SLORC's claim of being the only unifying force in the country is highly contestable.

Regarding its paddy quota system, the SLORC would likely argue that it is essential to the acquisition of rice necessary to feed the sizable military forces. However, though a great deal of rice is indeed necessary to feed the Tatmadaw forces, the SLORC continues to demand extra rice from farmers which it sells on the international market for a profit. Nothing can justify this additional quota while many Burmese citizens, including farmers, are starving.

Finally, the SLORC maintains that forced labor is not only a necessary support for their military efforts, but also of important attempts to build the country's infrastructure. Besides, they claim that unpaid labor is a long-standing tradition of Burmese culture, completely misunderstood by the West. "When critics attack forced labor, Burma's government objects to a foreign misread of unique and necessary national traditions."²⁷ In this respect, they would say that "outsiders [should not] use human rights 'as a tool to interfere in [their] domestic affairs."²⁸

As far as this cultural legacy of forced labor is concerned, for years now the people of Burma have consistently pleaded with the international community to help them put an end to this practice. Surely the SLORC cannot claim that this too is a cherished tradition of Burmese heritage.

Impact

One of the most important features which distinguishes Burma from other countries suffering food scarcity is the fact that Burma has more than enough capacity to feed itself. In fact, up until the Second World War Burma was the world's largest supplier of rice.²⁹ Despite these massive exports, food scarcity was unknown in Burma until the late 1960s, when the military socialist government's centralized mismanagement, coupled with poor crops, led to temporary shortages³⁰. What is significant about Burma is the fact that responsibility for the widespread food scarcity experienced today—and the consequent malnutrition and hunger—can be confidently assigned to the policies of the military government.

Unfortunately, when dealing with issues of food scarcity and malnutrition, children often act as the canaries in the coal mine. 16 percent of Burmese children are severely malnourished, while 43 percent are mildly or moderately malnourished.³¹ The evidence of the People's Tribunal strongly "links child mortality to food scarcity."³² Statistically, "the death rate of mildly or moderately malnourished children is three times that of well-nourished children. The death rate for severely malnourished children is nine times greater."³³ One villager from the Papun District testified that over a two-year period, in his village alone roughly "thirty children, mostly under 5 years old, died from malnutrition."³⁴ In Burma, the under-five mortality rate is 105 per 1000 children, over 10 percent.³⁵ The human cost of this situation is devastating and unconscionable.

Living under the rule of the SLORC, the people of Burma are suffering extensive abuses of their human rights. They are being systematically deprived of their dignity and freedom, and of their ability to feed themselves. This is why they have chosen to classify this issue as being about the right to food. Ultimately, what they need is not foreign humanitarian assistance (although in the short-run this may be necessary), what they need is the freedom to grow food for themselves in a dignified manner, in accordance with their full rights as human beings.

The Right to Food

The right to food is included (both explicitly and implicitly) in several international agreements, including the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Convention on the Rights of the Child, and many others. In addition "twenty states in the world have Constitutions which, more or less explicitly and in more

or less detail, refer to the right to food or a related norm.”³⁶ Significantly, the United Nations has recently appointed a Special Rapporteur on the right to food. His appointment reflects a growing recognition of the fundamental importance of this right.

While the right to food is not without its theoretical and practical complexities, for the purposes of this paper its validity will not be examined. It is sufficient to note that the right to food potentially entails a range of constraints and responsibilities, from the right not to have one’s legitimate pursuit of food interfered with, to the right to be fed when no food is conventionally available. At the very least, to not be interfered with in one’s legitimate pursuit of food is recognizably a very important right. Without food, we cannot live. As such, without the right to pursue sustenance, many other essential rights are rendered meaningless, including even the right to life. As the Special Rapporteur on the right to food has pointed out, “the right to food is what might be termed a ‘matrix’ right,”³⁷ insofar as it makes possible the enjoyment of other rights.

In Burma, the military government is clearly in violation of even the most basic requirements of the right to food. The SLORC is directly interfering with the Burmese people’s legitimate pursuit of sustenance. They are systematically engaging in practices which result in widespread food scarcity, leading to malnutrition, disease, and even death. In his initial report to the UN Commission on Human Rights, the Special Rapporteur on the right to food specifically mentioned Burma as one of three states alleged to be in most “blatant” violation of the right to food.³⁸ The People’s Tribunal on Food Scarcity has even gone so far as to call the SLORC’s activities a crime against humanity.³⁹ Clearly, the international community must respond.

Intervention Strategies

Any real solution to the food crisis in Burma must to some degree focus on diminishing the cause of food scarcity—the SLORC and its harshly unjust policies. It comes as no surprise then that solutions to the food crisis will sometimes be hard to differentiate from solutions to many of the other human rights abuses suffered by the people of Burma. For the people of Burma to enjoy the full range of their human rights, including the right to food, the power of the SLORC must be significantly reduced, or withdrawn altogether.

Among their very few recommendations, the People’s Tribunal on Food Scarcity and Militarization in Burma urges state governments to “exert influence on the Government of Myanmar to recognize that denial of food is a human rights violation of the most serious and fundamental type.”⁴⁰ When faced with a regime as brutal and defiant as the SLORC, strategies for influencing compliance with human rights are extremely limited. Year after year the Special Rapporteur of the Commission on Human Rights returns to the Commission and laments that “since the situation of human rights in Myanmar is worsening,” and “no concrete progress can be discerned,” he “feels bound to renew” and “reiterate the recommendations he made in...his last report.”⁴¹ In such seemingly intractable circumstances, the primary options for leverage include military intervention,

sanctions, "comprehensive engagement" and, when basic needs are a concern, humanitarian assistance. In the coming pages this paper will examine the feasibility and practicability of these and other strategies, specifically on their application towards securing the right to food.

Non-Violent Domestic Solutions

Although there is a great deal of evidence that the people of Burma are ready for democracy, the SLORC has proven itself to be savagely opposed to any kind of domestic democratic resistance. Since 1988, in the wake of the massacre of thousands of pro-democracy demonstrators, the SLORC has very effectively suppressed any attempts at organized opposition. During more than a decade of military law, gatherings of more than four people have been banned outright. In "1989, the SLORC announced regulations allowing military officers to 'arrest political protesters at will,' and administer one of three sentences on the spot: three years' hard labor, life imprisonment, or execution."⁴² Since then, the SLORC has detained, arrested, imprisoned, beaten, tortured and/or killed thousands of Burmese citizens who have struggled for democracy. They have efficiently worked to dismantle the NLD by forcing its representatives to resign, suffer in prison, or flee into exile. Unfortunately, given all of this, a non-violent domestic solution to the food crisis in Burma seems, at this stage, all but impossible.

Military Intervention

There are several factors which make military intervention an untenable solution. At the most basic level, Burma has a considerable military force at its disposal. In 1997, the U.S. Department of State ranked the size of the Tatmadaw at 18th in the world, falling between Syria and Germany with about 330,000 troops (by way of contrast, Afghanistan was ranked 77th, with about 45, 000 troops)⁴³. "The Burmese armed forces are now the second largest in Southeast Asia and, if Vietnam continues with its planned troop reductions, Burma's may soon be the largest."⁴⁴ Though historically the country's soldiers have been thought to be poorly equipped, the SLORC has spent billions over the last decade refurbishing its arsenal:

The SLORC's massive procurement program...has resulted in a flood of new arms and equipment entering the army's inventories...Precise details are not available, but [from 1988-96] it appears that Burma received about 80 main battle tanks, 105 light tanks, 250 armored personnel carriers...field and anti-aircraft artillery, multiple rocket launchers, surface to air missiles...mortars, recoilless guns, grenade launchers, small arms and ammunition.⁴⁵

This massive expansion has not been limited to the army. "Under the SLORC...the navy has grown dramatically in size and acquired a wide range of

more modern systems...The expansion of the air force under the SLORC has been equally dramatic...Acquisitions have probably included five squadrons of F-7 fighters, tow squadrons of A-5 fighter/ground attack aircraft..."⁴⁶ Suffice it to say that any foreign power would need very compelling reasons to contemplate a military intervention in Burma.

It is highly unlikely that any one nation or group of nations would feel that their interests are sufficiently at stake to justify a military course of action, especially in light of the potential costs. Unfortunately for the people of Burma, the SLORC focuses its violence inwards, against its own citizens. Some may argue that the most strategic thing to do would be to support the efforts of ethnic insurgents, either financially, or directly with arms. However, though they share a common enemy, and collectively support the NLD, when it comes to armed resistance there is a good deal of evidence that a lack of cohesion and factionalism would seriously undermine the multiple ethnic groups' ability to organize a united force:

Examples include the existence of different insurgent movements which have strenuously avoided unifying themselves while claiming to represent the same ethnic group, the frequent and bewildering changes of name of many of these movements, their factionalism and fissioning, the alliances between erstwhile enemies...resulting in...the failure of the ethnic insurgents to establish a durable, united front against their common foe.⁴⁷

Finally, from a human perspective, even if a military intervention were feasible, it is not at all clear that an escalation of conflict would be in the best interests of the Burmese people. Certainly in the short-run, a war would more than likely *reduce* their ability to achieve food security. Not only would a military campaign cause multiple casualties, it would result in the bombing of villages and fields, a possible escalation of the Tatmadaw's brutality and "scorched earth" tactics, and an intensification of their forced conscription policies, taking even more farmers away from the land.

For all of these reasons, along with others discussed below, a military intervention strategy is not only unfeasible, but inappropriate.

Sanctions

General Economic Sanctions

Of all possible intervention strategies, sanctions against Burma have been given the most consideration. Aung San Suu Kyi herself has stated that "there should be no further investments in Burma until such a time as there is progress towards democracy."⁴⁸ Sanctions have been pursued and implemented, to greater or lesser degrees, by several countries independently. The EU revoked Burma's trading status in 1996, and in 1997 President Clinton attempted to prohibit all future American investments in Burma.⁴⁹ By the time of his announcement, the

State of Massachusetts, along with several cities from across the country, had already established selective purchasing laws in relation to Burma. From South Africa, Archbishop Desmond Tutu "stressed his belief in the need for international economic sanctions against SLORC's Burma."⁵⁰

All of this demonstrates the appeal of sanctions, but not necessarily their efficacy. When dealing with a regime as brutal and recalcitrant as the SLORC, unilateral sanctions undertaken by one or even several states—while they may justifiably make policy-makers and citizens of those countries feel good that they are not contributing to nasty regimes—will be ineffective, and remain largely symbolic. Their overall impact, in terms of changing behaviors and staying human rights abuses, is likely to be nil. Unless sanctions are universally imposed, "pariah" states such as Burma will simply make adjustments in their trade to allow for changing economic circumstances. Such regimes will not be swayed by the moral content of these measures. In such instances, sanctions may hurt, but they will not cripple. The only way unilaterally imposed sanctions would have any effect at all would be if the countries imposing the sanctions comprised a singularly dominant proportion of the targeted country's trade. In the case of Burma, those countries most seriously considering sanctions do not meet this essential criterion.

For sanctions to have any real chance of working against Burma, they must be universally imposed. Recently however, in the wake of sanctions against Iraq, Burundi and Cuba, the effectiveness and appropriateness of such multilateral sanctions have been increasingly challenged by the international community.⁵¹ This international scrutiny has led to suggestions for the United Nations to adopt a "six-prong" test for evaluating future sanctions.⁵² The test is designed to ensure, among other things, that sanctions are imposed for the right reasons, that they impact the appropriate parties, and that these impacts are limited to the targeted country. Most significantly, the test asks, "Are the sanctions effective?"⁵³ In the case of Burma, it is not at all clear that multilateral sanctions would be effective. One critic has claimed: "the policy of quarantining Burma [is inappropriate] because for most of the last three decades the regime has sought to isolate itself from foreign influences. Isolation is not an effective sanction on a government that welcomes it."⁵⁴ There are good reasons to believe, however, that this may not be the case. The thirty-year period to which this observer is referring was during the socialist rule of Ne Win. Since his transfer of power to the SLORC, Burma has been opening itself up to the world economy, attracting a considerable amount of foreign direct investment (FDI). The SLORC has proven itself to be a regime quite intent on seeking the benefits of membership in the world economic community. It is quite possible that this trend is only very painfully reversible, and that economic sanctions would hurt the government a great deal. It is possible that such measures, taken multilaterally, may force the government to change some of its practices.

The efficacy of economic sanctions is hotly debated. It would be almost impossible to accurately predict what effect, if any, they would have on the actions of the SLORC. However, even if we were to conclude that multilateral sanctions were the best option, and even if sanctions against Burma could meet all

of the criteria of the six-prong test, there remain much more significant barriers standing in the way of this policy. To fully appreciate these barriers, we must examine Burma's current economic and geostrategic position within Asia.

Having been closed off from the world economy for three decades, Burma has been left far behind by its fast-growing Asian neighbors. With vast mineral resources, untouched forests, recently discovered natural gas deposits off its coast, and a large, well-educated, underpaid, English speaking populace, Burma is poised to grow, and grow fast. Many of its neighbors are eager to take full advantage of this incipient growth. Estimates indicate that Asian countries now account for an overwhelming percentage of FDI in Burma. This represents a significant shift away from Western countries, especially the United States, which as recently as 1994 was the largest single foreign investor in the Burmese economy.⁵⁵ In terms of sanctions, these Asian nations would be understandably reluctant to give up this potential source of growth.

There are, however, even more significant barriers preventing most Asian nations from agreeing to sanctions. Since the end of the country's socialist regime in 1988, Burma has developed an increasingly dependent relationship with China. Annual trade between the two nations is now estimated to be more than U.S. \$1.5 billion.⁵⁶ Most of the weapons itemized above were purchased from China, and China has been a major source of investment in Burmese infrastructure and development. Many observers claim that the northern Burmese city of Mandalay has become a small version of Tibet, a predominantly Chinese city. From China's perspective, this new relationship with Burma is a welcome development; for China, a strong relationship with Burma represents access to the Bay of Bengal and the Indian Ocean. Such access, however, is not a purely economic interest for China. Evidence indicates that China's intention is also to "check attempts by India to 'dominate' the Indian Ocean and other regional waters."⁵⁷ To other nations in Asia, this relationship between China and Burma is quite worrisome. India, Japan and the states of the ASEAN have legitimate fears that Burma will become a client state of China. These nations are eager to develop good relations with Burma in the hopes of counteracting the unchecked spread of Chinese influence and power.

Given these economic and strategic concerns, it is highly unlikely that the Southeast Asian nations, along with India and Japan, will be able to agree to economic sanctions against Burma. These conclusions were verified by a representative of the U.S. Department of State in 1995. At a hearing before the Subcommittee on Asia and the Pacific, he expressed it plainly and succinctly: "We have discussed multilateral sanctions with interested countries. We find no support for them against Burma at this time."⁵⁸

Targeted Sanctions

In recent years, "targeted" or "smart" sanctions have attracted increasing international attention and support.

These targeted sanctions are conceived of as directly affecting the political leaders or those responsible for the breach of peace, while leaving the innocent civilian population alone. Properly targeted sanctions, it is hoped, can eliminate civilian suffering while putting significant pressure on the Government itself, thus bringing sanctions regimes into compliance with human rights and humanitarian law and increasing the chances of success.⁵⁹

The idea of such sanctions is generally to “target the personal foreign assets and access to foreign financial markets of members of the Government.”⁶⁰ This can be observed in the current “War on Terrorism”, with the freezing of Al Qaeda’s assets around the world. However, not enough has been published about SLORC investments abroad to allow for a meaningful analysis of this option.

In the case of Burma however, there may be another way to “target” sanctions. Regarding the specific objective of food security, there is an option which has not received any attention, though it meets the requirements of the six-prong test, and it may be limited enough to win the support of the international community: a rice boycott.

The specific objective of a rice boycott would not be to force the government into compliance, but to keep rice in the country so people have enough to eat. An international rice boycott would seriously undermine the SLORC’s paddy procurement system. While they may continue to levy rice for military purposes, if there is no international market for their rice, they will certainly not demand the roughly 100,000 to 300,000 metric tons they export annually, even at their discounted price.⁶¹ What’s more, since the SLORC completely controls rice exports, the people of Burma derive zero benefit from this trade, so the civilian impact would remain overwhelmingly positive. While domestic prices may fall, impacting some farmers, nutrition will rise.

A rice boycott has a good chance of winning the support of the international community. Those nations clearly concerned with the situation in Burma will be given an opportunity to engage in something that will have an immediate and significant impact on the lives of the Burmese people. At the same time, given its very limited scope, a rice boycott will not seriously contravene the interests of those nations most acutely constrained by other concerns. As well, for these nations, strong support for a boycott from economically powerful Western allies would act as a counterbalance to more regional concerns. Together, these factors would limit the threat of major opposition.

There are, however, some serious questions regarding the feasibility of a rice boycott. While Japan, India, and many of the ASEAN members have expressed their concern over human rights abuses in Burma, and would likely not stand in opposition to a rice boycott, China is clearly unmoved by the fierce tactics of the SLORC. This is evidenced by the fact that in 1988, at the height of the SLORC’s brutal repression of the pro-democracy movement, China signed a cross-border trading agreement with the SLORC. Within a year, “the first shipment of Chinese arms arrived,” presumably to facilitate the brutality.⁶² Given this, and its increasingly close relations with Burma, the possibility does exist that

China would use its veto power on the UN Security Council to knock down any effort at a boycott. China, however, has historically been very sparing with its vetoes (5 in about 50 years), and the likelihood that it would use one for a Burmese rice boycott is remote. Beijing may even anticipate some benefit from a boycott, with this slight international alienation perhaps leading to stronger relations between the two countries. What's more, China has no vested economic interest in Burmese rice. China is a net exporter of rice. When it does import, it generally does so from Thailand.⁶³ Those who do have a significant rice trade with Burma are Malaysia and Bangladesh.⁶⁴ In order to mitigate any negative impact on these nations, other countries can arrange to ensure adequate trade from their own surpluses.

The question remains, who would put this to the United Nations? In the United States, considerable efforts continue to have the country adopt unilateral sanctions against Burma. Currently, support is being developed for bills S926 and HR2211, both of which aim to ban imports from Burma. Already, 21 Senators and 34 House members respectively have sponsored these legislative actions.⁶⁵ Given this clear domestic support for sanctions, a rice boycott, with its much more limited scope, would certainly be able to generate even broader appeal. As well, it would give interested parties an opportunity to take action that would draw attention to the issue internationally, action that would have an immediate and significant impact on the lives of the Burmese people. Finally, being brought forward by the United States, with its considerable international economic leverage, would give a rice boycott a much greater chance of being implemented.

Unfortunately, while a rice boycott may do a great deal of good for many of the people of Burma, there will still be those for whom food scarcity remains a significant problem. A rice boycott will do little for those people forced to flee from their homes and hide in the jungles, and for those who are forced at gunpoint to do labor without pay or food. We must seek to discover if there is anything else we might do to help these people achieve food security.

Constructive/Comprehensive Engagement

Since unilateral sanctions do not lead to compliance with human rights, and multilateral sanctions against Burma are virtually impossible at this time, governments seriously committed to doing something about food security in Burma must begin to look at other options. As Japan, India and the ASEAN nations are compelled to maintain significant financial involvement in Burma, hoping to change abuses by way of "constructive engagement," other concerned nations may be forced into accepting this lowest common denominator. However, though there are serious pitfalls with this approach, there may be some constraints we can impose to make it a more attractive option.

The biggest problem with this approach is that too often it leaves human rights compliance to some future time, in the hope that as relationships improve compliance can be sought, or better practices will develop by some form of osmosis. The danger with this is that as financial interests develop, and foreign firms become more deeply involved in their own investments, stepping back (and

potentially jeopardizing financial interests) to criticize and demand change regarding human rights abuses becomes increasingly difficult. This was the experience of the United States in China, where "the U.S. business community...lobbied heavily to de-link [potential economic leverages] and human rights."⁶⁶ Once firms are inextricably invested in a country, any threats to force human rights compliance become hollow gestures. On the other hand, especially when dealing with a regime as malignant as the SLORC, any hopes that friendly overtures will leverage some future relational bond are misguided.

We cannot safeguard the human rights agenda with the goodwill of corporate citizens. To counteract this shortcoming of comprehensive engagement, where human rights advances remain an "indirect spin-off" or "unintentional byproduct" of corporate "self-interest," one critic has suggested a policy of "comprehensive engagement plus."⁶⁷ While retaining "open trade and investment," the simultaneous "'plus' aspects...would require [governments] to take a principled stand in favor of human rights. The proposed 'plus' [initiatives include] speaking out in public forums and in international institutions."⁶⁸

With a group like the SLORC, however, once they have the money in hand, bold public statements denouncing human rights abuses will not leverage a great deal of progress. The carrot of foreign investment must be held at a distance, or it will not lead to movement. While the changes accompanying comprehensive engagement are usually envisioned as taking place once foreign firms are established *within* a country, conditions should be agreed upon *before* national firms are allowed to invest in troubling regimes. If governments can prevent their firms from engaging in business within another country altogether, as they do with unilateral sanctions, then certainly they can do whatsoever is in their power to impose meaningful restrictions on *the way* their firms do business in certain countries. Specifically, concerned countries must ensure that their national firms do not invest in projects that lead to any kind of human rights abuses. In Burma, what is needed is some form of "comprehensive engagement *minus*." Here, the minus would be, 'if you do not agree to conditions ahead of time, there will be no contract.' For example, regarding food security in Burma, firms would be prevented from investing in projects unless they were able to guarantee that there will be no forced labor involved, that all workers would receive fair pay.⁶⁹

Not only would this enable those workers to achieve their own personal food security, but over time such conditions would help to create a middle class (currently non-existent in Burma⁷⁰), which is essential to building democracy in such regimes.⁷¹

Some may argue that such a policy of linking potential FDI contracts to human rights objectives would cause firms from countries which impose such restrictions to lose contracts to firms from countries that do not.⁷² Indeed, this would probably be the case in many instances. If the United States were to adopt such a strategy in Burma, chances are U.S. firms would initially lose many contracts to Asian firms not requiring the same conditions. To counteract this effect, U.S. firms, together with their government, could offer added incentives to enhance the desirability of their proposals. Even if they chose not to however, over time there would be projects which U.S. firms could perform that others

could not. The potential for massive investment opportunities is a strong lure, and eventually such projects would begin to move the human rights agenda in Burma forward. They would lead to a rise in the living standards of Burmese people and, over time, increasing chances for democracy, freedom, and food security.

The question remains, is this form of comprehensive engagement incompatible with a rice boycott? Although a rice boycott may sour relations between Burma and the international community, the attraction of potential financial investment would more than outweigh this effect. Further, the rice boycott itself could be seen as part of this strategy, and linked to very specific conditions, such as the lifting of unrealistic paddy quotas and the payment of fair market price for any rice traded in export.

Humanitarian Relief

Until a rice boycott can be implemented, and comprehensive engagement strategies can lead to sufficient change, humanitarian relief may be necessary in Burma. Obviously, donating food to Burma would be a waste of resources as sufficient food is produced in Burma to feed the populace, although it is sold abroad. To give Burma food would be to feed the military, or to buy it back in export. In order to ensure the success of humanitarian relief efforts, aid would have to be distributed by foreign nationals. It is unclear whether the SLORC would allow such a large foreign presence to witness firsthand their widespread human rights abuses. The SLORC's relationship with independent humanitarian organizations has been inconsistent. While they have allowed agencies such as the International Committee of the Red Cross (ICRC) to engage in very limited activities, there have been periods when the organization was forced to leave.⁷³ Currently, the ICRC is back in Burma, and this may be a hopeful sign for the possibility of food aid. Certainly it is an option that should be pursued.

Internationally Moderated Peace Process

The SLORC appears to be pointedly uninterested in meaningful dialogue with the NLD or any ethnic insurgent groups at this time.

Conclusion

In the words of Aung San Suu Kyi, "Democracy is about the house you live in and the food you eat...[it's] about securing [a farmer's] right to sow what he wants to, and to reap at the time he thinks the harvest is ready, and then to sell it to whomsoever he thinks will give him the best price. That's democracy."⁷⁴ While a rice boycott—combined with a form of comprehensive engagement, and potentially humanitarian assistance—will not solve all of the human rights problems of the Burmese people, it may help to considerably advance their quest for food security. In this way, at the very least, they can live with the dignity of having full stomachs, and enjoy some small measure of democracy.

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¹ Mason 1998, 225

² Suu Kyi 1997

³ Many organizations, including the U.S. Department of state, do not recognize the legitimacy of this new name, and continue to use the name Burma.

⁴ Although SPDC is now the military government's official name (since 1997), they are much the same body. Since this is a relatively new name, most of the literature uses the term SLORC. To maintain consistency the term SLORC will be used in this paper.

⁵ The Tribunal was set up with the help of the Asian Human Rights Commission (AHRC), and was composed of the following: An Indian judge, to "assure that the Tribunal conformed to fair and transparent legal standards;" a Thai professor of Public Policy, whose "participation was critical to defining the scope of inquiry and the challenge of applying human rights to the realities of government and society," and; the Cambodian Executive Director of the Khmer Institute for Democracy, who "contributed experience with militarism and democracy...grassroots human rights education, refugee repatriation and land use, and with building civil society in post-conflict situations." The Tribunal was held in Thailand, April 1999. Evidence reviewed by the Tribunal included 26 depositions, 11 case studies, 57 individual testimonies, 34 field reports, 12 additional reports (including some from the SLORC itself), 35 media reports, 2 hours of video footage and more. The Tribunal's final report, "Voice of the Hungry Nation" comprises over 150 pages of background information, evidence and recommendations. (People's Tribunal 1999).

⁶ People's Tribunal 1999, 17

⁷ People's Tribunal 1999, 18

⁸ People's Tribunal 1999, 18

⁹ People's Tribunal 1999, 18

¹⁰ People's Tribunal 1999, 18

¹¹ People's Tribunal 1999, 23

¹² People's Tribunal 1999, 25

¹³ The Burmese currency. Value depends on official versus unofficial market exchange rate, approximately 6.5 & 150 kyat/US1\$ respectively.

¹⁴ People's Tribunal 1999, 25

¹⁵ This practice has been thoroughly documented by many international bodies, most prominently the International Labour Organization. It is the most widely denounced human rights abuse of the Burmese government. (ILO 1998)

- ¹⁶ People's Tribunal 1999
- ¹⁷ The Tribunal breaks these zones down further into rural and urban areas. This paper will focus on the rural areas.
- ¹⁸ People's Tribunal 1999, 8
- ¹⁹ People's Tribunal 1999, 9
- ²⁰ People's Tribunal 1999, 10; EIU 2001
- ²¹ People's Tribunal 1999, 10
- ²² People's Tribunal 1999, 23
- ²³ People's Tribunal 1999, 30
- ²⁴ Rahah 1998, 135
- ²⁵ UN Special Rapporteur on right to food 2001, para. 37
- ²⁶ Burma Alert 1997, No.2; Rajah 1998
- ²⁷ People's Tribunal 1999, 46
- ²⁸ Silverstein 1998, 11
- ²⁹ Mason 1998; People's Tribunal 1999
- ³⁰ People's Tribunal 1999
- ³¹ Chandler 1998
- ³² People's Tribunal 1999, 24
- ³³ Chandler 1998, 249
- ³⁴ People's Tribunal 1999, 22
- ³⁵ Chandler 1998. Although not all of these deaths can be attributed to food scarcity and malnutrition, often these conditions exacerbate the risks of other health factors.
- ³⁶ UN Special Rapporteur on right to food 2001, para. 52
- ³⁷ UN Special Rapporteur on right to food 2001, para. 28
- ³⁸ UN Special Rapporteur on right to food 2001, para 58
- ³⁹ People's Tribunal 1999
- ⁴⁰ People's Tribunal 1999, 54
- ⁴¹ UN Special Rapporteur on Human Rights 1998, para. 80; 1999, para. 65
- ⁴² Suu Kyi 1997, 238
- ⁴³ US Bureau of Arms Control 1997
- ⁴⁴ Selth 1998, 88
- ⁴⁵ Selth 1998, 89
- ⁴⁶ Selth 1998, 89
- ⁴⁷ Rajah 1998, 137
- ⁴⁸ Suu Kyi 1997, 191
- ⁴⁹ Rotberg 1998
- ⁵⁰ Suu Kyi 1997, 98
- ⁵¹ UN Sanctions 2000
- ⁵² UN Sanctions 2000
- ⁵³ UN Sanctions 2000, para. 46
- ⁵⁴ Ott 1998, 82
- ⁵⁵ Mason 1998

- ⁵⁶ Malik 1998
- ⁵⁷ Malik 1998, 116
- ⁵⁸ US House of Representatives 1995, 7
- ⁵⁹ UN Sanctions 2000, para. 54
- ⁶⁰ UN Sanctions 2000, para. 56
- ⁶¹ Oryza 2000; EIU 2001
- ⁶² Ott 1998, 72
- ⁶³ Oryza 2000
- ⁶⁴ Oryza 2000
- ⁶⁵ Free Burma Coalition 2001
- ⁶⁶ Santoro 2000, 80
- ⁶⁷ Santoro 2000, 87, 85, 91
- ⁶⁸ Santoro 2000, 93-94
- ⁶⁹ Foreign firms have already been investing in development projects where the use of forced labor has been documented, such as the Yadana natural gas pipeline. (ILO 1998; Free Burma Coalition 2001)
- ⁷⁰ Steinberg 1998; Suu Kyi 1997
- ⁷¹ UN Sanctions 2000
- ⁷² It may be possible to impose such restrictions multilaterally. However, such considerations are beyond the scope of the current discussion
- ⁷³ US House of Representatives 1995
- ⁷⁴ Suu Kyi 1997, 161

INFANT MORTALITY IN UKRAINE: A POLICY RESPONSE BASED ON A PRENATAL-PERINATAL DEVELOPMENTAL RISK FRAMEWORK

HALLIE TORRELL

Ukraine's infant mortality rate, though not the highest in the region, is cause for concern. Economic and social problems have contributed to infant mortality's disturbing trend. Proactive, preventive policy responses hold great promise for improving prenatal and perinatal care in Ukraine; such policy options could become models for successful public health interventions.

Introduction and Problem Context

Infant mortality rate is a complex indicator which reveals much about a nation's child and family health status, as well as the level of national socio-economic development and general well-being of the population. Since 1990, Ukraine's official infant mortality rate has increased from a rate of 12.8 (per 1,000 live births) to 14.0.¹ In a 1999 UNICEF study of 27 countries from Central and Eastern Europe (CEE), the Baltics, and the Commonwealth of Independent States (CIS), Ukraine ranked 11th in infant mortality, falling just behind Bosnia-Herzegovina and ahead of the Federal Republic of Yugoslavia.² However, these figures and rankings are misleading because Ukraine does not yet employ international infant mortality classification standards.³

Ukraine's data on still births, live births, and miscarriages are based on the Soviet methodology, which only considers gestation period (28 weeks or more), length (35 cm and over), weight (1000 g and over), and "commencement of breathing" in defining life.⁴ World Health Organization standards also consider heartbeat, weight of 500 grams or over, and gestation of 22 weeks or more in their definition of life. Upon adopting international standards, Ukraine's infant mortality rate will likely increase approximately 20 to 25 percent to 16.8 to 17.5 per 1,000 live births.⁵ UNICEF's statistics reflect this expected increase, estimating Ukraine's infant mortality rate at 17 per 1,000 live births.⁶ By comparison, Japan's 1997 infant mortality rate was 4.3 per 1,000 live births, and the average rate in Western European countries was 6 deaths per 1,000 live births.⁷ A regional comparison reveals that Poland's rate was 10.2 in 1997, and Hungary's rate was 9.9 deaths per 1,000 live births.⁸

Ukraine's rising infant mortality rate is of particular concern when considered with its other demographic indicators. The country's crude birth rate has shown a significant decline, dropping from 14.8 (live births per 1,000 population) in 1980 to 8.8 in 1997.⁹ In addition, the infertility rate has doubled since 1989, with urban families particularly affected; the fertility rate for the urban population is now at 1.07, one of the lowest in the world.¹⁰ The overall fertility rate is 1.25.¹¹

Simultaneously, child mortality (under age 5, per 1,000 live births) increased from 17.6 in 1989 to 18.9 in 1997.¹² These trends have resulted in an overall aging of the population. At the same time, life expectancy at birth decreased by 4 years among men and 2 years among women from 1989 to 1997.¹³

The crude death rate (per 1,000 population) rose from 11.7 in 1989 to 15.0 in 1997.¹⁴ The child morbidity rate in the first year of life also rose from 1415.1 (per 1,000 children in 1991) to 1716.9.¹⁵

While the abortion rate has shown a slight declining trend (from 153.2 per 100 live births in 1989 to 134.8 in 1997), it remains one of the highest in the world and is a major contributing factor to the high infertility rates, the decline in reproductive health of women, and complications in pregnancy and delivery.¹⁶

Most demographic reports examine Ukraine's infant mortality problem beginning with its independence in 1990 and directly correlate the increase in mortality to the associated economic aspects of transition. However, data from years prior to independence provide insight and clarity to the present situation and the larger trends of infant mortality. In 1980, Ukraine's infant mortality rate was 16.6 (per 1,000 live births); in 1985, the rate was 15.9.¹⁷ In 1990, Ukraine's infant mortality fell to the unprecedented rate of 12.8 – high by the standards of developed countries, but an all-time low for Ukraine.

While there is a known association between rising infant mortality rates and falling per capita GDP, framing infant mortality in Ukraine specifically as a problem of economics is misleading, as infant mortality was at its lowest during Ukraine's most recent tumultuous period (independence). For the past ten years, the infant mortality rate has remained lower than pre-independence rates when GDP per capita was several times higher during the 1980's.

Furthermore, direct linkage between infant mortality and economic indicators such as GDP per capita can be misleading in economies such as Ukraine's because of its large shadow economy, which, according to some experts, accounts for up to 60 percent of economic activity. Therefore, demographic reports which state that it is impossible to reduce infant mortality without significant economic improvements, may miss other potential contributing factors to Ukraine's infant mortality, including cultural, environmental, and political aspects of the problem.¹⁸

Problem Overview

An analysis of infant mortality data reveals that the most vulnerable life period is the perinatal period (28 weeks of pregnancy to 7 days post birth), during which the infant mortality rate is 12.2 deaths per 1,000 live births.¹⁹ The neo-natal period (7 to 28 days, post birth) and post-neonatal period (28 days to 1 year, post birth) are the next most vulnerable periods, with rates of 7.5 and 7.4 deaths per 1,000 live births, respectively.²⁰ These rates have been relatively stable for the past 10 years.

The causal structure of infant mortality has also remained stable. Complications during the perinatal period (e.g., birth complications) are the primary cause of infant deaths in Ukraine (50.7 per 10,000 live births).²¹ This rate has shown a slight but steady decrease since 1992. A breakdown of perinatal mortality shows a 31 percent antenatal death rate (before birth), a 24 percent intranatal mortality rate (during birth), and a 45 percent rate of death in the first week of life.²² Almost 50 percent of infants who died in the perinatal period were

born prematurely.²³ Congenital defects are the next leading cause of infant death (40.5 per 10,000 live births), and have shown a minor increase since 1992.²⁴ Respiratory organ diseases are the third leading cause of infant deaths (12.3 per 10,000 live births), followed by infectious and parasitic diseases (11.6 per 10,000 live births).²⁵

Geographical indicators show that the following oblasts have the highest rates of infant mortality (14.9 to 17.0 per 1,000 live births): Donetsk; Dnipropetrovsk; Kherson; the Autonomous Republic of Crimea; Kirivohrad; Odesa; Ivano-Frankivsk; and L'viv.²⁶ This finding is significant because it shows a possible relationship between heavily-industrialized oblasts and higher infant mortality rates, as well as higher mortality in the Southeastern region of the country. In every oblast of Ukraine, rural areas show higher rates of mortality than urban areas.²⁷ This may be attributable to inaccessible health services, lack of resources in rural obstetrical institutions, norms that rely less on professional health support, poor living conditions, and lower family incomes.

Information regarding age of the mother and birth order in cases of infant death has been removed from the country's civil records.²⁸ A resolution of the Verkhovna Rada on April 23, 1993 permitted the removal of this information, despite the law which prohibits the removal of such questions.²⁹

Problem Analysis Based on Prenatal-Perinatal Developmental Risk Framework

The causal structure of infant mortality shows that the majority of infant deaths are due to complications during the prenatal-perinatal period. The next leading cause of mortality, congenital defects, develops during the prenatal stages as well. Respiratory organ disease, vulnerability to which is substantially developed during the prenatal period, follows as the third largest cause of mortality in Ukraine. Protection of the fetus during the prenatal-perinatal period is thus critical to reducing the mortality rate. The following section uses a prenatal-perinatal development framework to analyze infant mortality and is followed by an associated set of policy recommendations.

Maternal Characteristics

Nutrition and emotional stress are important maternal characteristics affecting prenatal development.³⁰ Poor maternal diet, a risk factor in Ukraine, has been linked with infant death, premature births, and low birth weights.³¹ Three types of nutritional problems have been identified in Ukraine: undernutrition, micronutrient malnutrition, and unbalanced nutrition.³² Micronutrient malnutrition, in particular, has been on the rise and may be the result of decreased food intake, deterioration of food quality, and the erosion or disappearance of food fortification and nutritional programs.³³ Ukrainian women are likely to be the least well-fed members of the household, often sacrificing the most nutrient-rich foods, such as meat and dairy products, to the children and male members of the home.

Anemia, or iron deficiency, is of special concern in Ukrainian women. Over 40 percent of all pregnant women were anemic in 1998, up from 6.4 percent in 1989; more than a quarter of all live births were complicated by anemia in 1997, up from only 3 percent in 1989.³⁴ Anemia has many effects on infant health, including increased risk of death from hemorrhaging during birth and increased risk of birth complications.

Emotional stress is another maternal characteristic that impacts prenatal development.³⁵ Anxiety, fear, and other stresses cause physiological changes that may harm the fetus. For instance, an increase in adrenaline restricts blood flow to the uterine region and can endanger the fetus by impeding oxygen supply.³⁶ When anxiety or emotional stress is chronic, inadequate oxygen supply is a chronic danger to the fetus.³⁷

Bronfenbrenner's ecological model of development supports the link between maternal and fetal stress.³⁸ Though his model is focused on post-birth developmental stages and the child's interactions with an expanding circle of influences, such as caregivers and the home environment, the ecological model is aptly suited to prenatal development. The various levels of outside influence all intimately impact prenatal development, with particular emphasis on the affect of maternal interaction. Davies' transactional model of development, though centered on post-birth development, also supports the "bi-directional and circular" transactions between mother and fetus.³⁹ Davies' model helps explain how stress brought on by pregnancy may cause a mother to respond in unhealthy ways which in turn negatively impact the fetus.

Ukrainian women are at particular risk for experiencing chronic stress, due to the societal changes wrought by political and economic transition. Stress engendered by poverty is another concern. Because jobs are no longer guaranteed by the state, unemployment has risen from zero under the communist system to a registered 51.1 percent in 1997.⁴⁰ True unemployment is difficult to measure. The shadow economy employs many people, and many others are registered as employed but have not been paid in years, only receive partial payments, or are forced to work fewer hours than they desire. Nonetheless, it is fair to assert that true unemployment is at high levels and places many people at risk of poverty.

Due to low wages, however, even the employed may be at risk of poverty. Officially, 93.1 percent of rural families and 85.9 percent of urban families have a per capita income below the official poverty line.⁴¹ While these figures are somewhat misleading because of the shadow economy and unreported income, they do provide some measure of the extent of poverty in Ukraine. The figures are particularly revealing when coupled with data on average state aid to needy families. In 1998, state aid for single mothers with children averaged 5.2 Hryvnia (UAH) per month, which is equivalent to approximately one U.S. dollar.⁴² Almost half a million families were eligible for this benefit in 1998.

Poverty's impacts on pregnant women include the aforementioned effect on nutrition as well as decreased access to health care, increased vulnerability to disease, poor housing, and poor environmental conditions. These factors all increase maternal stress. Furthermore, the high divorce rate and rise in single parenthood mean that many pregnant women are single and have fewer financial

resources for raising a child. The share of births to unmarried mothers has increased and was approaching 20 percent in 1997.⁴³ The share of births to mothers under the age of 20 has also risen, to 18.4 percent in 1997, up from 14.1 percent in 1989.⁴⁴

The number of unemployed women is also on the rise. In 1997, 416,500 women were registered as unemployed, in comparison to 14,700 in 1992.⁴⁵ Single women who are employed may still not earn enough to support a child and themselves; Ukrainian women face a continuing gender pay gap, earning 77.7 kopeks to every Hryven a male earns.⁴⁶ Thus, while women are increasingly likely to be the sole supporter of a family, they also find it increasingly difficult to find employment and earn a living wage. A recent study on wage arrears found that 43 percent of women in Ukraine were owed back pay, and that women were unequally represented in professions where arrears were more prevalent.⁴⁷ If a pregnant woman is faced with these combined circumstances, it is very likely that she will experience chronic stress throughout the pregnancy, and thus, so too will the fetus.

Drug, Alcohol, and Tobacco Use

Emotional stress caused by poverty may induce pregnant women to self-medicate with drugs or alcohol in order to relieve tension. Depression brought on by poverty and stress may also inhibit a pregnant woman's tendency to care for herself by eschewing the use of substances. Pregnant women may also employ cigarette smoking, a common societal practice, to reduce feelings of stress. Use of these substances introduces additional hazards to prenatal development.⁴⁸

The prenatal period is, perhaps, one of the most critical developmental stages because of its defining role in shepherding a fetus onto adaptive or maladaptive developmental pathways.⁴⁹ Bowlby argues that the earlier the development stage in which a maladaptive pathway is taken, the more difficult it is for the child to "self-right" back onto a healthy pathway. This has particularly grave ramifications for fetuses who are guided onto unhealthy developmental pathways by exposure to toxic substances. In addition, fetuses exposed to maladaptive pathways for an extended period, such as during chronic exposure to drugs or alcohol in utero, are less likely to "self-right" to an adaptive path.⁵⁰

Thus, a mother's use of drugs or alcohol may launch a fetus on to a negative developmental trajectory from which it cannot recover. Heavy drinking can cause Fetal Alcohol Syndrome, which manifests as developmental abnormalities in the fetus.⁵¹ Malformations can include heart defects and can be potentially fatal. Pregnant women who smoke show greater incidence of fetal and neonatal deaths as well as greater prevalence of pre-term births.⁵² Sudden Infant Death Syndrome (SIDS) and respiratory problems are also more prevalent among infants whose mothers smoked during pregnancy.⁵³ Maternal drug use is another risk to prenatal development. Maternal use of drugs such as cocaine can place infants at greater risk for suffering congenital malformations which can lead to infant mortality.⁵⁴

These developmental risk factors are particularly applicable to pregnant women in Ukraine, since alcohol and drug use has been on the rise. Almost 10 percent of pregnant women report drinking alcohol once a week throughout their pregnancy, 15 percent report drinking two to three times per month, and 18 percent report drinking once a month.⁵⁵ Thus, almost half of all pregnant women report regular use of alcohol during pregnancy. Only 13 percent of pregnant women report not drinking at all.⁵⁶ Though only 14 percent of women report smoking during their pregnancy, this rate does not account for exposure to second-hand smoke. Second-hand smoke is common in the culture due to a high rate of smoking among men and lack of prohibited smoking in public areas.⁵⁷ It should also be noted that alcohol and tobacco quality standards are much lower in Ukraine than they are in the U.S. and this also increases the risk to mother and fetus.

Drug use has also risen, as evidenced by the staggering increase in HIV/AIDS due to intravenous drug use and the rise in infant HIV infection. Of all newly registered AIDS cases in 1996, 7.2 percent were infants who contracted AIDS through their mother.⁵⁸ The rate of HIV/AIDS in Ukraine has reached epidemic proportions. Almost three quarters of all HIV infections in Ukraine are contracted through intravenous drug use.⁵⁹ Important to note, as well, is the likelihood that pregnant women who use drugs are more apt to also drink alcohol and smoke cigarettes.⁶⁰ Thus, risks for fetuses whose mothers use drugs are multiplied by the added risk of exposure to alcohol and cigarette smoke.

Disease and Infection

Maternal disease and infection are other serious dangers to prenatal development that can harm the fetus in utero or during the birth process.⁶¹ Sexually-transmitted diseases such as syphilis and genital herpes are of particular concern for the fetus in prenatal and intranatal stages. Syphilis damages fetal organs, and approximately one-third of babies delivered through a birth canal infected by genital herpes die.⁶² HIV infection is also potentially fatal to infants. Pregnant women infected with HIV can transfer the disease during gestation, delivery, or breast feeding.⁶³ Rates of maternal morbidity from sexually-transmitted disease are on the rise in Ukraine, particularly from syphilis and HIV. In 1989, only 3.5 cases of syphilis per 100,000 women were reported, compared to the 119 cases reported in 1996.⁶⁴ Registered cases of HIV/AIDS have dramatically increased, as well, exploding by 34 times the previous rate in 1995.⁶⁵ It should be noted that there are likely many unreported cases of STDs, including HIV, among the population, and so registered cases represent only a fraction of the number of cases. The number of estimated HIV carriers in Ukraine was 110,000 in early 1998.⁶⁶

Abortion is another leading cause of maternal morbidity and mortality, as well as serious birth complications.⁶⁷ Though Ukraine's abortion rate has shown a slight downward trend, from 153.2 per 100 live births in 1989 to 134.8 in 1997, it continues to be among the highest rates in the world.⁶⁸ Abortion continues to be Ukraine's leading form of birth control, followed by other techniques such as the

rhythm method and coitus interruptus, which, combined, are used by almost 40 percent of couples.⁶⁹ Oral contraceptives are used by only 5 percent of couples, intrauterine devices (IUDs) are used by 23 percent of couples, and condoms are used by 19 percent of couples.⁷⁰ A full 11 percent of women and a third of all men prefer not to use any form of contraception at all.⁷¹ Barriers to access of effective birth control and family planning include cultural norms, expense, lack of availability, and lack of education.

Environmental Hazards

Environmental hazards are sources of risk to prenatal development that may increase the likelihood of infant death.⁷² The embryonic period (week three to the end of week eight) and the fetal period (week nine to the end of week 36) are particularly vulnerable stages in pregnancy, and are especially susceptible to environmental risks.⁷³ Maternal exposure to radiation, chemicals, toxic waste, and air, soil, and water pollution can severely threaten prenatal development and increase the chance of infant mortality.⁷⁴

Radiation is a constant concern in Ukraine, due to the Chernobyl nuclear accident that took place in April, 1986. The accident released 300 MKi of radionuclides into 50,500 km² of territory, and the effects continue in regions occupied by 2.4 million people in over 2,215 cities.⁷⁵ In addition to radiation concerns, Ukraine has been left with a significantly degraded environment due to the legacy of communism.⁷⁶ Environmental protection polices did not exist under Soviet rule, and industrial policy was aimed almost exclusively at rapid growth.⁷⁷ Though the transition has resulted in a falling level of industrial production, Ukraine has not experienced comparative reductions in pollution.⁷⁸ Industrial pollution is of particular importance in the heavy manufacturing regions of Ukraine, where infant mortality rates are as high as 21.3 per 1,000 live births, based on the international calculation methodology. In addition, unsafe drinking water and polluted soil are prevalent throughout Ukraine. These factors impact the safety of domestically-grown food. Lastly, deleterious maternal working conditions contributed to 15 percent of infant deaths in Ukraine in 1998.⁷⁹

Prenatal Care

Lack of sufficient prenatal care also threatens infant health.⁸⁰ By revealing potential problems associated with pregnancy or delivery, such as maternal disease or infection, prenatal care can drastically increase a fetus' chance for life. For example, if it becomes apparent through prenatal screening that a pregnant woman has genital herpes, which cause death in a third of infants, a cesarean section can be planned to avoid the possibility of infection via the birth canal.⁸¹ Ukrainian women are at high risk for insufficient health care and generally do not trust obstetrical and maternal health facilities, which are antiquated, unsanitary, relatively expensive, and unfriendly. Obstetrical practitioners are also often poorly trained and rarely use modern equipment.

These conditions are, in part, due to the under-funding of public health facilities, which received only 3.2 percent of the country's GDP in 1999, down 22.9 percent from 1998.⁸² In 1997, financing was at 3.6 percent of GDP, and still only reached 40 percent of the necessary level.⁸³ By comparison, Great Britain spends 5.9 percent of GDP on health care, Germany spends 9.0 percent, and the U.S. spends 14.0 percent.⁸⁴ These countries' greater spending percentages, of course, are combined with higher GDPs to begin with. Ukraine's allocations for public health care are especially small in comparison.

In addition to substandard facilities, Ukraine faces an apparent shortage of maternity hospitals, with only 87 such hospitals registered in 1997.⁸⁵ Moreover, while 202,201 doctors (excluding dentists) were registered in Ukraine in 1997, only 127 of them were classified as "family doctors."⁸⁶ This indicates that family medicine has begun to develop, but is still in its early stages.

Lastly, the cultural barriers to accessing prenatal care should not be underestimated. Ukraine's hospitals are generally not family-based institutions, and many women fear them for their antiquated approach to maternal medicine, as well as their unfriendly treatment of patients. For example, Ukrainian women are separated from their newly-born child immediately after birth, sometimes for long periods of time, and the child's father is not allowed in the room during delivery or afterwards. These practices have resulted in distrust of public health care.

Budgetary Considerations

Ukraine's health care system is under considerable pressure. In need of privatization, the system was 98 percent financed by the state in 1998.⁸⁷ By contrast, in 1998, Germany's system was financed 86 percent by the state, Canada's, 78 percent, and the U.S. system, only 42 percent. In 1997, Ukraine allocated 3.6 percent of its GDP on health care expenditures, or 3.3 billion UAH. This was less than half of the required amount. The World Health Organization states that a country's health care expenditures should minimally amount to 5 percent of its GDP in order to be sufficiently efficient and operational. Ukraine currently falls short of this standard, and has shown a downward trend in the past several years.

Ukraine's per capita health care expenditures amount to 64.4 UAH, or \$32.2 USD. This is 47 percent less than 1992 levels. Not surprisingly, the mean salary in the health industry is low – 127 UAH. This average is almost a third lower than the mean salary in the country, and 35 percent lower than industrial workers' average salary. Furthermore, many health care workers' wages are in arrears. These indicators point to the relative societal positioning of health care workers in Ukraine and the industry as a whole.

Political Infrastructure

Executive and legislative branches of government are responsible for overseeing policy on children and families in Ukraine.⁸⁸ The Supreme Council of Ukraine, a legislative body, controls various committees on child and family

welfare, including the Social Policy and Labor Committee; the Health, Maternity, and Childhood Protection Committee; and the Human Rights Issues, National Minority, and International Relations Committee. In addition, the Cabinet of Ministers of Ukraine operates a department responsible for developing policy and programming for family, women, and maternity and childhood protection.

Ukraine's Ministries responsible for various aspects of child and family policy are: the Ministry of Social Policy of Ukraine; the Ministry of Health Protection of Ukraine; the Ministry of Culture and Art of Ukraine; the Ministry of Ukraine for Emergency Situations and Population Protection Against Consequences of Chernobyl Catastrophe; the State Committee of Ukraine for Physical Culture and Sport; the Ministry of the Interior; and, the State Committee of Ukraine for Family and Youth. This latter body is directly responsible for developing child and family policy, in accordance with Presidential Decrees. Within this body, there is a Family Issues Department, within which there are two sub-departments known as the guardianship and care department and the demographic and family policy department. Additionally, there is a Coordination Council for Family Policy that operates under the State Committee of Ukraine for Family and Youth. This Council is in charge of coordinating state policy and public services related to family issues. At the local level, there are district and urban departments that are responsible for carrying out state policy on families and children.

Legislative Environment and Current Policy

The concept of child and family policy is relatively new to Ukraine, and the legislation affecting children and families reflects this fact. The Constitution of Ukraine, adopted in June 1996, enumerates individual and democratic rights.⁸⁹ On June 28, 1996, the Fundamental Law of Ukraine was adopted, guaranteeing all citizens a sufficient standard of living and protecting marriage and family rights. This law also protects childhood, maternity, and paternity rights. In September of 1996, the Law on Labor was passed, guaranteeing employment, prohibition of firing, and improved working conditions for pregnant women.

In 1997, "The Basic Approaches of Social Policy in 1997-2000" was approved by Presidential Decree, and mandated targeted social assistance to the country's most needy families by abolishing universal privileges. Later in 1997, the Cabinet of Ministers approved a "National Action Plan for 1997-2000," which sought to increase women's competitiveness in the labor market. This plan further elaborated the rights of children, women, and families.

In December of 1998, the Cabinet of Ministers approved the Decree, "About Measures on Improvement of Maternity and Childhood Protection." The legislation deals with education for children, gives employment priority to workers with dependent or handicapped children, and assigns preferential housing treatment to large families. The State Committee of Ukraine for Family and Youth drafted a Law of Ukraine, "About National Help to Families With Children," which will increase and target assistance to the most needy families.

In accord with the National Action Plan for 1997 to 2000, the Declaration entitled "About General Measures of National Policy of Ukraine with Respect to Family and Women" was introduced. The declaration prioritizes the status of the family and women in Ukrainian policy-making, and requires adherence to international conventions on maternity, child, and family protection. The declaration affirms the equal rights of women and requires improved working conditions for women.

Finally, the Supreme Council of Ukraine is currently considering a draft law, "Concept of State Family Policy in Ukraine," which defines the general concept and regulations for family policy. Based on international ideals of human rights, the Law provides autonomy for the family from the state, prioritizes child protection, calls for equal rights for women and men, and requires protection of vulnerable families.

Policy Alternatives and Recommendations

Ukraine is in the early stages of developing infant and maternal health policy. With the aforementioned legislative structure and laws in place to ensure children's rights and child protection, national policy should now be developed to address the serious issue of infant mortality. Policy alternatives include: 1) developing a national financial aid program targeted to assist pregnant women with access to services and better nutrition; 2) creating a national model of obstetrical clinics meeting international standards; 3) increasing material and technical resources for intensive care of newborns; and, 4) organizing a national prenatal-perinatal health campaign.

In addressing infant mortality, preventive policy measures are of primary importance. Preventive strategies have been shown, worldwide, to be the most economical and effective, and responsive approaches to reducing infant mortality. Policies targeted at reducing infant mortality must be politically and economically feasible as well as sustainable.

While a national financial aid program for pregnant women is responsive and has had success in other countries, financing such a policy is not currently feasible in Ukraine. Creating a national model of obstetrical and pediatric clinics would help to raise standards. This policy is responsive to vulnerability indicators; however, this is presently neither an economically feasible nor sustainable policy option. Increasing material and technical resources for intensive care of newborns is responsive, but is more reactive than preventive, and thus is not particularly efficient.

Prenatal-Perinatal Health Education Campaign

Vulnerability indicators showed that complications during the prenatal-perinatal period are the primary cause of infant deaths in Ukraine. A large proportion of these complications are directly related to maternal malnutrition (e.g. anemia) and preventable disease.⁹⁰ International experience shows that the most effective, efficient strategy for preventing disease, addressing maternal

nutritional deficiencies (such as iron deficiency), and improving pregnancy outcomes is a prenatal-perinatal education policy that includes nutrition education for pregnant women aimed at changing maternal behavior.⁹¹

A plan to improving maternal nutrition in Ukraine should include simple cost-effective strategies such as educating pregnant women not to eat bread while drinking tea (a common practice in Ukraine), because the properties in tea prevent the body from absorbing the iron in bread. The policy should target females and males in high schools and universities and females and males between the ages of 18 to 40. Males should be included in the target populations to raise their awareness of the nutritional needs of women during pregnancy, so they can support pregnant women in eating nutrient-rich food in the home environment. The Ministry of Education should be the primary agent for developing programming in the country's educational institutions.

The education campaign should also be targeted to prevent maternal disease, particularly STDs, as well as abortion. Since condoms are readily accessible, affordable, and a culturally-accepted means of birth control, the campaign should include heavy promotion of the use of condoms as contraceptive devices. This would simultaneously support reduction in abortions by reducing unwanted pregnancies. Males and females between the ages of 16 and 40 should be the target population.

The campaign should be implemented via the education system and the mass media, and should develop a series of educational brochures and flyers with information and community resources. The use of education as a means of prevention is important in Ukraine, because it capitalizes on the strength of the national education system, as well as the political and cultural regard for the importance of education. While preventive education is a new concept in Ukraine, this is a strength-based approach that should be sustainable and effective.

Use of the mass media is also important because it builds on the country's strength in promoting ideologies via the national mass media, which, as a system, is strong. Television and newspapers have each been found to reach almost 60 percent of the public, while a third of the public uses radio as a source of information.⁹² Public trust in the mass media has increased to 72 percent, which enhances the potential effectiveness of media use in public education.⁹³ For these reasons, television and print media should be the main media used to reach target populations. Television should be the primary media used in reaching the younger target populations.

Prenatal-Perinatal Health Support Outreach

A national prenatal-perinatal health support outreach program should be developed and piloted in the highest risk Oblasts (Donetsk, Dnipropetrovsk, Kherson, the Autonomous Republic of Crimea, Kirivohrad, Odesa, Ivano-Frankivsk, and, L'viv). The program should also be targeted to rural areas because of their higher mortality rates. The program should provide a wide-range of prenatal-perinatal support, including nutritional supplements; guidance on obtaining balanced and sufficient nutrition during pregnancy; stress management;

education on the importance of avoiding drugs, alcohol, and tobacco products during pregnancy; screening for disease and genetic counseling; child development; and linkage to community resources.

There are, essentially, four variants in implementation design that should be considered. The programs may be: based in current institutions and marketed to encourage participation; home-based, such as nurse home-visiting programs; mobile-based; or, a combination of these three approaches. While the home-based model has merit and has been shown to be effective with certain populations, this is not currently a financially or culturally feasible approach.⁹⁴ Cultural limitations include Ukrainian families' tendency to not allow outsiders into their homes and the high level of public distrust in the government, which would potentially cause a home-based program to be threatening and culturally unacceptable.⁹⁵

A mobile-based program would capitalize on the country's strength in transportation infrastructure and would allow greater coordination of program services in the Southeastern region, which has the highest mortality rates. Clinic-based services should also be explored with the caveat that targeted media and community outreach would be necessary in order to promote use of the program. Thus, a combination of the two strategies should be employed in program design and implementation.

Education and Training of Medical Practitioners

Education and training of medical personnel in obstetrical institutions could also improve maternal health services. A national education program should include the following aspects: 1) perinatal and prenatal care and preventive strategies for improving maternal health; 2) ultrasound diagnostics; 3) methodologies for genetic consulting; 4) family planning strategies; 5) methods for improving sanitary conditions in obstetrical institutions; and 6) methods for improving obstetrical service delivery.

Public Sector Collaboration with the Non-profit and Private Sectors

Potential obstacles to successful implementation of these policy strategies include insufficient funding, insufficient distribution of the programs to their target populations, and inability to engage pregnant women in programming. To help avoid these obstacles, there should be a significant increase in governmental cooperation with community-based organizations in implementing education, training, and medical service delivery. In addition, competitive public procurement policies should be developed in order to delegate programming responsibilities to qualified local non-profits as well as local municipalities. There should be improved coordination between the government and foreign donor organizations to increase the efficiency and effectiveness of programming. The Coordination Council for Family Policy that operates under the State Committee of Ukraine for Family and Youth should be responsible for program coordination and building collaborative partnerships between the public and non-profit sector.

Collaboration between the public and private sectors should also be encouraged in order to maximize resources and build on the strengths of the private sector. Methods of achieving this cooperation include allowing businesses to write off donations to non-profit organizations involved in infant mortality prevention programming and promoting privatization in the health care sector. This would diversify health care funding and increase competition.

Improvement of Data on Infant Mortality

Ukraine should immediately adopt international standards for tracking infant mortality. In addition, Ukraine should restore questions on civil records regarding the age of the mother and child birth order in cases of infant death. This will allow for improved data collection on infant mortality and national trends. This information is critical in informing policy so that resources can be targeted to the most appropriate populations and point to further vulnerability indicators.

Medium- and Long-Term Policy

Medium-term policy strategies should include increasing the percentage of GDP allotted to health care to, at minimum, the World Health Organization standard of 5 percent. Increasing the proportion of national funds dedicated to health care will pay for the modernization of obstetrical equipment. Long-term policy strategies should include raising national standards for obstetrical and pediatric clinics so that they comply with international standards.

Conclusion

Ukraine faces many social challenges as it navigates its way through the transition to a market-based economy and democratic political system. Infant mortality as a social problem is linked to the transition, but also has cultural and historical aspects which should not be overlooked in seeking sustainable policy responses. Pro-active, preventive approaches to social problems are unusual in Ukraine, where most policy is reactive and developed in response to situations that are so serious they can no longer be ignored.

Though Ukraine's infant mortality rate does not rank among the highest in the region, this should not be cause to ignore the problem. Rather, the problem should be addressed immediately by executive and legislative bodies, in compliance with existing laws that mandate protection of the nation's infants and children. By adopting preventive policy responses according to prenatal-perinatal developmental risks, Ukraine will take a significant step toward enacting concrete measures to protect children, and will set a national precedent in utilizing preventive methodologies to ensure infant health.

¹ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 119.

² Ibid. Ranked rates are for 1997.

³ Ibid. In fact, 19 of the 27 countries studied still used Soviet methodologies for calculating their infant mortality rates.

⁴ Ibid.

⁵ Ibid.

⁶ According to the statistics available on UNICEF's website, www.unicef.org, the most up-to-date infant mortality rate for Ukraine is 17 per 1,000 live births, though they do not disclose the methodology used in obtaining this rate and whether Soviet methodology was used and the rate has increased, or if they made an estimation based on the expected 20 percent to 25 percent increase upon adoption of international standards.

⁷ "1998 Ukraine Human Development Report," UNDP. Pg. 17.

⁸ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 119.

⁹ Ibid. Pg.114.

¹⁰ "1998 Ukraine Human Development Report," UNDP. Pg. 18.

¹¹ Ibid.

¹² Ibid. Pg. 120.

¹³ Ibid. Pgs. 123 – 124.

¹⁴ Ibid. Pg. 123.

¹⁵ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997. Pg. 49.

¹⁶ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 118.

¹⁷ Ibid. Pg. 119.

¹⁸ The study was conducted by the State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, and states, "Therefore, without a radical improvement in the socio-economic living standards, it is impossible to expect a significant reduction in reproductive losses." Pg. 132.

¹⁹ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999.

²⁴ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997.

²⁵ Data source: State Statistics Committee of Ukraine.

²⁶ According to international standards, these rates are probably even higher than the 14.9 to 17.0 estimate, and may be as high as 18.6 to 21.3. Data source: State Statistics Committee of Ukraine.

²⁷ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997.

- ²⁸ Ibid.
- ²⁹ Ibid.
- ³⁰ "Life-Span Development," John W. Santrock, 1999. Pgs. 93 - 96.
- ³¹ Ibid. Pg. 93.
- ³² "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 67.
- ³³ Ibid.
- ³⁴ Data sources: Ukrainian Ministry of Health and "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pg. 134.
- ³⁵ "Life-Span Development," John W. Santrock, 1999. Pg. 96.
- ³⁶ Ibid. Pg. 96.
- ³⁷ Ibid.
- ³⁸ "Child Development," Douglas Davies, 1999. Pg. 6.
- ³⁹ Ibid. Pg. 5.
- ⁴⁰ "1998 Ukraine Human Development Report," UNDP. Pg. 86.
- ⁴¹ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997. Pg. 112.
- ⁴² "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pg. 221.
- ⁴³ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 115.
- ⁴⁴ Ibid. Pg 115.
- ⁴⁵ Ibid. Pg. 143.
- ⁴⁶ Ibid. There are 100 kopeks to every Hryven.
- ⁴⁷ Ibid. Pg. 34.
- ⁴⁸ "Life-Span Development," John W. Santrock, 1999. Pgs. 98 – 99.
- ⁴⁹ The concept of developmental pathways was introduced by John Bowlby (1973). Information source: "Child Development," Douglas Davies, 1999. Pg. 8.
- ⁵⁰ Ibid. Pg. 9.
- ⁵¹ "Life-Span Development," John W. Santrock, 1999. Pg. 98.
- ⁵² Ibid. Pg. 98.
- ⁵³ Ibid. Pg. 99.
- ⁵⁴ Ibid. Pg. 99.
- ⁵⁵ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997. Pg. 76.
- ⁵⁶ Ibid. Pg. 76.
- ⁵⁷ Ibid. Pg. 76.
- ⁵⁸ Ibid. Pg. 73.
- ⁵⁹ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 70.
- ⁶⁰ "Life-Span Development," John W. Santrock, 1999. Pg. 99.
- ⁶¹ Ibid. Pgs. 96 – 98.

⁶² Ibid. Pg. 97.

⁶³ Ibid. Pg. 98.

⁶⁴ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997. Pg. 72.

⁶⁵ Ibid. Pg. 72.

⁶⁶ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 70.

⁶⁷ Ibid. Pg. 134.

⁶⁸ "Women in Transition," The MONEE Project Regional Monitoring Report – No.6, UNICEF, 1999. Pg. 118.

⁶⁹ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997. Pg. 70.

⁷⁰ Ibid.

⁷¹ Ibid. Pg. 71.

⁷² "Life-Span Development," John W. Santrock, 1999. Pg. 100.

⁷³ Ibid. Pg. 97.

⁷⁴ Ibid. Pg. 100.

⁷⁵ "1998 Ukraine Human Development Report," UNDP. Pg 34.

⁷⁶ "The Legacies of Communism in Eastern Europe," edited by Zoltan Barany and Ivan Volgyes, 1995. Barbara Jancar-Webster. Chapter 5. "The Environmental Legacies of Communism." Pg. 84.

⁷⁷ "Children at risk in Central and Eastern Europe: Perils and Promises," UNICEF, 1997. Pg. 5.

⁷⁸ Ibid. Pg. 5.

⁷⁹ "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pg. 132.

⁸⁰ "Life-Span Development," John W. Santrock, 1999. Pg. 101.

⁸¹ Ibid. Pg. 97.

⁸² "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pg. 129.

⁸³ "1998 Ukraine Human Development Report," UNDP. Pg 25.

⁸⁴ Ibid. Pg. 25.

⁸⁵ Ibid. Pg. 26.

⁸⁶ Ibid. Pg. 27.

⁸⁷ Ibid. Pg. 25. The health care statistics in this section are all provided by "1998 Ukraine Human Development Report," UNDP.

⁸⁸ Information source of the following data in this section: "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pgs. 208 – 209.

⁸⁹ Ibid. The following facts in this section are from "The Family in Ukraine," State Committee of Ukraine for Family and Youth and the Ukrainian Institute for Social Research, 1999. Pgs. 205 - 208.

⁹⁰ "The Health of Women and Children in Ukraine," UNDP and UNICEF, 1997

⁹¹ Ibid.

⁹² "The Mass Media of Post-Communist Ukraine," Innovation and Development Centre, 1998. Pg. 23.

⁹³ Ibid. Pg. 23.

⁹⁴ "Prenatal and Infancy Home Visitation by Nurses: Recent Findings," David Olds, Charles Henderson, et al., *The Future Children*, Vol. 9, No. 1, Spring/Summer 1999. Pg. 44. This article concluded that home-based prenatal programs are successful with certain populations such as very low-income families.

⁹⁵ "The Mass Media of Post-Communist Ukraine," Innovation and Development Centre, 1998. Pg. 23. Study results found that 88percent of respondents distrusted the government.

HUMAN RIGHTS IN GUATEMALA: INTELLIGENCE CONTROL AND RECONCILIATION STRATEGIES

ADRIANA DAKIN

Guatemalans who promote human rights in their country often place their safety at risk in the process. With the resurgence of Guatemala's military strength following 9/11/01, human rights abuses threaten to become even more prevalent. The author suggests strategies for building ties between the stratified layers of Guatemalan society, focusing on the success of one specific reconciliation program.

Guatemalans who promote human rights in their country tread on dangerous ground. They must weigh their commitment to ideal goals against real politics that threaten personal attack and a general backlash of violence, of the kind the population knows well from thirty-six years of civil war under a military dictatorship. During the war, the dictatorship created an intelligence apparatus which was used against its own citizens instead of external threats. Guatemalans perpetrated human rights violations against other Guatemalans, particularly against indigenous peoples. While the peace accords of 1996 seemed to promise a new beginning, current news suggests that Guatemala is now standing on the threshold of a resurgence of human rights abuses.

To bridge the wide social divides and establish an understanding of differences between Guatemalan people, a group of prominent leaders founded a reconciliation program. For a decade, the Center for Strategic Studies on National Stability (Centro ESTNA) brought together emerging leaders. Its graduates are credited with stopping a coup in 1994, with signing the 1996 peace accords that ended the civil war, with solving labor and other disputes, and with starting initiatives to build social capital. The program shut down this year due to internal conflicts.

The post-9/11 security context has seen an increase in military strength. As Guatemala threatens to slide back into violence, a re-established Centro ESTNA could play a critical role in supporting balanced perspectives. The instability that is endemic to the Guatemala area may not be intractable, and the experiences of South Africa and Northern Ireland show that it is not unique.

The Last Fifty Years

In Central America during the Cold War, the United States pursued a security doctrine that placed human rights and democracy second to the fight against Soviet and Cuban influence.¹ Soviet and Cuban leftist insurgencies fought American-supported right-wing forces. In one of the first CIA-organized covert actions, Guatemala's democratically elected president Jacobo Arbenz was replaced in 1954.² Subsequent US-funded military dictators implemented terror as a method of maintaining power. Ironically similar to the forceful military state regimes of the Soviet Union and Eastern Europe that the US opposed, Guatemala's US-supported military authority amassed intelligence power against

its own citizens. Guided mainly by perceived threats, the US opposed opportunities for negotiated solutions to Central American conflicts in the 1980s. US administrations consistently supported the worst perpetrators of repression, including those in the wars of El Salvador, Guatemala and Nicaragua in the 1980s.³

Central America, Guatemala in particular, was a focus of tension during the Cold War. In proportion to its population, says writer Jonathan Power, "more people were killed and tortured for their beliefs during the 1970s and 1980s in Guatemala than in any other country in the world."⁴ According to a four-volume truth commission study sponsored by the Roman Catholic Archdiocese in Guatemala published in 1998, the military was responsible for ninety percent of the estimated 200,000 deaths and disappearances, mainly from the civilian population.

President Reagan, on taking office in 1980, was concerned with halting the spread of communism, rather than reining in the violent excesses of the Guatemalan army. When Guatemala's new president Rios Montt visited Washington, he was knowledgeable enough about US politics to be comfortable saying in a public speech, "We have no scorched earth in Guatemala—only scorched communists."⁵ Around this time, Amnesty International issued an outspoken report accusing the government of running "a deliberate and longstanding program" of torture and murder.⁶

When the Soviet Union dissolved in the early 1990s, superpower support for Central American factions was withdrawn and the region's civil wars ended. A policy window opened for the Central American initiative Esquipulas II to end conflict and begin to build democracy in the seven countries. Costa Rican President Oscar Arias, heading the initiative, worked with regional politicians as one by one the war-torn countries laid down their weapons. In 1996, the Guatemalan Government and Guatemalan National Revolutionary Unity signed a peace accord that was intended to form the framework for a democratic society.

The Guatemalan military, however, did not view the end of the conflict as a defeat or as a situation of parity with the guerrilla movement. Since they viewed it as a defeat of the guerrillas, officials wondered why they had to negotiate. Historically, Guatemala had been the site of one of the three capitals of the Spanish empire in Latin America. With arrogance and pride in its status, the Guatemalan military had developed a different tradition from other countries, held an entrenched position, and controlled the infrastructure.⁷ They had run the office of the presidency through the *Estado Mayor Presidencial*, or secret service. Although superpower financial support had largely ceased, the military "developed an economic base by buying into many of the larger economic movements such as oil. This gave them the power to resist having their wings clipped like the Salvadoran military had. They have staying power, and know how to use cruelty and terrorism."⁸ Why should they negotiate?

The peace accords, in addition, were internationally sponsored by the United Nations and locally designed by a small group of erstwhile combatants turned peacemakers. This group was under regional and international pressure end the conflict.⁹ One primary and contentious objective of the peace accords was

transference of intelligence control to civilian hands. An independent police force and independent intelligence apparatus was supposed to bring rule of law to the country. The military was to focus only on external defense, an attempt to weaken its influence inside the country. Other deep institutional changes included better state-financed education for the country's indigenous population, many of whom had been targeted and tortured in the civil war. Greater educational opportunity was meant to reflect Guatemala's new identity—defined in the peace accords as a multiethnic, multicultural, and multilingual. But at a public referendum, Guatemalans soundly opposed tax increases to fund this change.¹⁰

A well-publicized political murder clearly spotlighted the army's difficulty of abdicating intelligence power. In 1998, human rights campaigner Bishop Juan Gerardi died. Gerardi had led the truth commission which implicated the Guatemalan military for most of the deaths during the civil war. He was killed two days after he released the commission's report. During a three-year conviction process, prosecutors, witnesses and a judge fled the country under threat of death. The three ultimately convicted were a retired army colonel, an army captain, and a former presidential bodyguard—two of the three belonged at different times to postwar military intelligence.¹¹ Spending all night in a packed courtroom, members of Guatemalan human rights groups waited for sentences that civil rights advocates later hailed as a landmark for a country unwilling to confront the events of the civil war.¹²

Human Rights and Politics in Contemporary Guatemala

Five years after the peace accords that were expected to usher in a new era, journalists such as Ana Arana, whose research focuses on Latin America, now note that there have been few improvements in Guatemala and neighboring countries. In *Foreign Affairs*, she writes, "Today the region's seven small republics, rather than exhibiting the new harmony and prosperity that were expected to come with peace, bear only the scars and open wounds of traumatized societies: rampant corruption, gang warfare, drug smuggling, intense urban poverty and overpopulation, and neglect from the international community."¹³ Because of its pertinence to improving Guatemala's situation, we will focus on the intelligence control power struggle that threatens to precipitate a slide back to human rights abuses and on Guatemalans' reactions to the new specter of international war crimes courts.

Intelligence Control Power Struggle

As part of the peace process, left-wing guerrillas demobilized and entered politics. This inclusion seemed a success to the international community. Forcibly retired colleagues at home, however, resented the engineers of peace—reformist officers. These retired military officers formed powerful criminal cartels with lucrative enterprises—such as narco-trafficking and kidnapping—and carried out a systematic campaign of political violence.¹⁴

Burgeoning drug trafficking means changing opportunities for wealth and power. Counterintelligence officials are now running drug and crime rings. Law enforcement officers believe that the murder of Bishop Gerardi may be linked to the drug trade, as he may have uncovered links between the military and cocaine trade.¹⁵ *The counterintelligence officials* are particularly adept at politically motivated crime because they have powerful friends in the current government and access to information and facilities, such as clandestine airstrips left from the civil war. "The cocaine trade has created a dangerous synergy between political terror and drug trafficking, and the line between criminal and political violence has begun to blur."¹⁶ Observations of military weaponry and skillful use of weapons lend weight to the premise that the primary offenders are former combatants.¹⁷

In Guatemala post-civil war and post-9/11, the greatest threat to human rights is from experienced, well-financed and highly trained military officials who use control of intelligence against civilians in violation of the peace accords. They employ tactics of intimidation, including the murder of human rights activists and Mayan Indians.¹⁸

Following attacks on human rights activists and lawyers, Amnesty International recently reported: "Human rights organizations and advocates are increasingly being targeted. The prevailing impunity gives a clear signal that perpetrators can continue to get away with murder, literally. Amnesty is concerned that the Guatemalan government is in fact encouraging attacks through ill-considered public statements that have periodically accused human rights defenders and other activists of seeking to destabilize the country."¹⁹ Amnesty's concern is especially pertinent after the enhancement of military powers following the September 11, 2001 terrorist attacks on the United States. At the US' urging, Guatemala established a new anti-terror commission run by military personnel, one of whom has denounced human rights groups; he claimed they seek the country's destabilization.²⁰ In the current security context, increases in military power may provide an excuse to limit public liberties and to garner power and wealth, as well as to serve legitimate security concerns.

Guatemala's explosive rise in violence has not yet been matched by other countries in the region.²¹ Violence may be rising more in Guatemala than elsewhere because forcibly retired officials feel marginalized to a degree that has not happened elsewhere, and perpetrators of violence have been able to ignore the fact that they committed crimes against humanity.

International Justice

In response to atrocities committed by Nazi Germans, Yugoslavs, and Hutus in Rwanda, international courts have indicted war criminals and created records based on witness accounts. Over the last fifty years, a body of international law has effectively transformed jurisprudence. Writing and ratifying the laws, however, does not seem to have deterred many large-scale killings, such as atrocities in Kurdistan and Cambodia. A Spanish magistrate's indictment of former Chilean leader Augusto Pinochet while Pinochet visited Great Britain for

dentistry work, however, must have sent shock waves through many leaders who have secured and maintained their tenure in power through crimes against citizens.

The Guatemalan press gave prominent coverage to the Pinochet extradition request, undoubtedly perceiving its possible implications and interest to the local audience. After the same Spanish magistrate, Baltasar Garzon, threatened to prosecute a former Salvadoran president for killing six Jesuit priests, three of whom were Spanish citizens, retired officials in nearby Guatemala established a special investigative branch of their own.²² In reality the office acted to obstruct justice and to make certain that domestic prosecution would not occur; this was the office that tried to delay the trial for Bishop Gerardi's murder.²³

The specter of international war crimes tribunals may actually threaten stability in Central America. Guatemala's peace treaty amnesties excluded immunity for the worst offenses. Military officials therefore have cause to worry about both local and international prosecution. Spanish and Belgian courts have been receptive to prosecuting human rights abuses that took place in other countries. Thus, because of a law adopted in Belgium in 1993 which allows local courts to hear cases on atrocities (both past and current) that happened in any country, the national court of Belgium is trying non-nationals. Targets of lawsuits already in Belgium include Guatemalan senior military officers cited for a range of crimes, including genocide against the Mayans.²⁴

This year, the Inter-American Court on Human Rights for the first time found states, Nicaragua and Guatemala, guilty of crimes against indigenous people and violations against the rights of children, respectively. The government of Guatemala was ordered to pay half a million dollars to the families of five children who were killed by death squads. From its foundation in 1979 to June 2001, a total of 83 decisions were handed down. In 2001 alone the court delivered 18 rulings due to significant budget expansion and expedition of the litigation process.²⁵

Policy Recommendations

Some of the actors concerned or involved with intelligence control and human rights in Guatemala include the current president Alfonso Portillo, a former professor of Marxism who fled Guatemala in the 1970s, who heads the official policy community. Current statistics showing his popularity at a low point suggest that power struggles may take place before his term is over in 2004. Portillo is the protégé of former dictator Efraim Rios Montt, who is now the congressional president. The Guatemalan constitution bars a former dictator from running for president, but Montt is believed to have considerable influence over Portillo. Ironically, Montt's brother, Bishop Mario Rios Montt, succeeded the murdered Bishop Gerardi as head of the Catholic Church's human rights office, and his task is to continue the commission's research into perpetrators of violence against the population.²⁶ The bishop's brother presided over one of the most gruesome periods of that violence. Other actors include ministers specializing in

intelligence and security, and working groups specifically created to redesign intelligence policy.

Independent of government circles, civilian groups, such as the Citizens' Movement for Justice and Democracy and the Center for Human Rights Legal Action, and Mayan people, are publicly working to push for reparations. In addition, Guatemalan policy makers have sought international influence and this has proved critical to coupling contentious political forces. Harvard's Project on Justice in Times of Transition has acted as a facilitator between Guatemalan civil and military leaders and international leaders with experience of successful military-civilian transitions. Advocating civilian control of intelligence as one stage in democracy building, the international leaders have been willing to invest their energy to support reforms in other countries. Guatemalans involved in the conferences and roundtables noted that even if the proposed reform laws did not pass, the process had been valuable because it created understanding among many Guatemalans. During the conferences, policy makers learned from international participants that Guatemala's experience was neither unique in the world *or* intractable.²⁷

Since the September 11 attacks on New York and Washington, Central America has all but disappeared from Washington's agenda, although, according to John Coatsworth, Harvard professor of Latin American affairs, "U.S. policy toward Latin America needs the kind of thoroughgoing and decisive break with the past that only strong presidential leadership can accomplish."²⁸ One of the US' stated goals is the promotion of human rights and democratic institutions, because governments that treat their citizens fairly under rule of law are generally more stable in the long term. According to Coatsworth, goals to promote such progress in Central America can be achieved only by strengthening the rule of law and building inter-American institutions.

Indeed there are good reasons for the US to be involved in Guatemala, beyond the funding the country receives from the US State Department. Motives for intervention could include interdicting drugs and international crime, prevention of human rights abuses, regional stability in the Americas, and preventing failing states from becoming harbors or bases for terror.²⁹

Without US assistance, and with the challenge of bringing military criminals to justice and transferring intelligence to civilian hands, Guatemala's government could profit from its own strategic plan with which to work the issue. There is no easy solution that Guatemala, or Russia, or South Africa can employ, because issues of justice are deeply complicated. There are, however, valuable and feasible strategies that could begin to build respect for the rule of law and build social capital, such as:

- 1) Restarting and expanding reconciliation programs like Guatemala's Center for Strategic Studies on National Stability (Centro ESTNA),
- 2) Continuing to retrain military personnel to respect civilian rights and rule of law, and

- 3) Partnering between Latin American state governments, NGOs and citizens to collaborate on shared problems, strengthening the infrastructure and relations historically damaged by US unilateral intervention.

Other policies could be valuable but are probably not sustainable. Conducting formal and police-protected truth commissions, as South Africa has done, establishes accountability and publicly acknowledges crimes committed. Truth commissions can help a society to move forward; beyond, for example, some Russians' nostalgia for Stalin's rule. Many Guatemalans feel they have already gone through a similar process via Bishop Gerardi's report and murder trial, and there is no political will for further truth commissions.³⁰ The country could establish schools and sports teams that teach children of Mayan and Spanish descent together in one setting, but these population sectors are geographically and economically separated. Centro ESTNA's programs come closest to bringing stratified sectors together on a daily basis.

Guatemalan society is organized along vertical lines. Layers of the population do not share common spaces and experiences. As Tim Phillips of Harvard's Project on Justice in Times of Transition said, "In Guatemala, if you're in the elite, you're white, of European background, not recently intermarried with the Mayan people, associate with friends at a country club, go to the same university—there's not much interaction with indigenous people. There aren't institutions in that society bringing together people at an early age. If you end a conflict, you not only want to see people prosecuted, but to build the future so you don't replicate this again."³¹

Centro ESTNA builds relationship bonds between generations and socio-economic layers by organizing year-long programs that bring together, for example, Mayan people and army colonels. In 1994, graduates of the program were credited with helping to stop a coup attempt, because individuals from these two parts of society could call each other. "The program helps people reinvent themselves," Phillips said, "and is a comprehensive way to promote civil society and social capital."³²

One of the program's founders, José María Argueta—who has served Guatemala as Minister of Economics, a negotiator to end the civil war, the first civilian National Security Advisor, and Ambassador to Peru and Japan—analyzed his long-term motivations and the challenges he has faced. A close friend and advisor to several presidents, he was able to survive despite a blunt style, and to use an uncanny strategic sense to predict outcomes. For example, while ambassador in Peru, he played a key role in negotiating the release of 400 hostages at the Japanese Embassy, including himself. He balanced bold challenges with solid sequencing and positioning against the rebel hostage-takers, ultimately making mutually agreeable proposals. He had used the same good sense and knowledge of social dynamics and power structures to establish ESTNA.

Change, Argueta emphasized, is a power game. "Programs like ESTNA change the power equation. People defend their territory, especially in hierarchical societies. To affect the power structure, you need to understand it."³³ He had support in Guatemala and around the world to authorize radical changes.

Learning from many angles, exploring limits and stretching the imagination, the curriculum provided experience in managing anger. During panel debates every academic year, leaders of transitions in other countries demonstrated how it is possible to have different perspectives *and leave alive and invigorated*. Participants were unaware that they were preparing to sign their own country's peace accords.

Participants in the academic program made mental and social connections that transformed their behavior and view of their role in the world. Some, however, have been less enthusiastic about what they have become, because graduates often become more productive and feel greater responsibility—a heavy burden. Graduates are currently trying to restart the program, but feel the challenges of a politically and socially uneasy peace.

Guatemala needs justice experienced incrementally, in a process that weighs forgiveness and vengeance consciously and lawfully, and builds normal relationships between people. Human rights writer Michael Ignatieff believes, "In all these processes, the essential problem is how to balance peace and justice, forgetting and forgiving, healing and punishment, truth and reconciliation."³⁴ For human rights, state crisis and misuse of intelligence are significant threats to stable and productive relations. Some strong, well-conceived and supported strategies, however, that could begin to create a background political and social climate that would reduce human rights abuses and foster a situation more conducive to justice.

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ABOUT THE CONTRIBUTORS

Adriana Dakin

Adriana Dakin is a first year MPP student at the Kennedy School, studying negotiation and leadership for an International Security focus. She has worked and studied in Russia, Central Asia and India, and will conduct research this summer in Guatemala and El Salvador to write a case study about the reconciliation program Centro ESTNA. She has a BA from Wesleyan University, with honors in history for her thesis on Kyrgyzstan's political history. During a semester in Russia she interviewed nuclear physicists and environmental activists about the social and environmental consequences of plutonium production in a secret city in Siberia. In her free time she enjoys climbing mountains, riding horses, learning languages and throwing ceramic pots.

Angie Datta

Angie Datta is a second year student in the Master's in Public Policy program. Prior to coming to the Kennedy School Angie worked at Citibank in New York and London. At the Kennedy School she has focused on better understanding cross sectoral partnerships both in the U.S. and overseas. She worked for the Asian Development Bank in Nepal in the summer of 2001. Upon graduation she plans to return to New York City and work in non-profit management that spans the public and private sectors.

Jeffrey Graham

Jeff Graham is a second-year student in the Master in Public Policy program at the Kennedy School of Government. While at KSG, Jeff has concentrated in International Security and Political Economy, and has interned with the U.S. Department of State and with Conflict Management Group, and has consulted to the U.S. Department of Defense. Prior to attending the Kennedy School, Jeff was Director of International Visitor Programs for WorldBoston, a local nonprofit that conducts public diplomacy programs on behalf of the State Department. He also helped design and implement an award-winning data management and communications system for the National Council for International Visitors, a network of 100 organizations like WorldBoston. Jeff has also worked for a number of other educational organizations, and has worked and studied in Egypt, India, Nepal, Tibet, and Mongolia. Jeff earned a B.A. in the Comparative Study of Religion from Harvard College in 1995.

Shaun Hayeslip

Shaun Hayeslip holds dual Bachelor of Science degrees in biochemistry and cell & molecular biology from the University of Maryland, College Park. Prior to coming to Harvard, he spent time in Ecuador analyzing the current scientific and economic conditions in the Galapagos Islands. At the Kennedy School, he concentrates on issues of science and technology policy, including biotechnology, biodiversity, and bioterrorism.

Jin Pak

Jin H. Pak is a first year student at the Kennedy School of Government at Harvard University pursuing a Master's Degree in Public Policy. He is an active duty Army Captain who will teach International Relations at West Point upon graduation at the Kennedy School. Graduated from West Point in 1994, and has since served on numerous assignments in Germany, Hungary, Bosnia, Virginia, and Colorado. He is married to the former Lucie Ahn and they have two children, Tyler and Sopia.

Eloise Pasachoff

Eloise Pasachoff is a second-year student in the four-year joint degree program at the Kennedy School of Government and Harvard Law School. After graduating from Harvard College in 1995, she received an M.A. in English Literature from Yale and taught middle school and high school English in New York City. As a 2001 Imagitas Fellow, she spent last summer in the Administration for Children and Families in Washington, D.C. As a 2002 Rappaport Fellow, she will spend the summer working at Community Action Program Legal Services in Boston. She wrote this paper for Mary Jo Bane's class on Urban Poverty and Policy in the Americas.

Jonathan Sheff

A native of Canada, Jonathan has been involved in food security work for several years. After graduating from McGill University in Montreal, Jonathan went to work for the National Student Campaign Against Hunger and Homelessness, where he was the Field Organizer for the Northeast and Midwest US. Upon returning to Canada, Jonathan organized an anti-hunger event that acted as the catalyst for an Ontario-wide anti-hunger coalition. He then went on to do community development work for the Daily Bread Food Bank, Canada's largest food bank. While there, Jonathan organized a low-income community to develop an entirely new agency, the Center for Active Resources, which became a model for emergency food assistance programs in the city of Toronto. Since coming to Harvard, Jonathan has begun to explore the issue of food as a human right.

Matthew Stumpf

Matthew Stumpf is a second-year Master's in Public Policy candidate at the Kennedy School, where he serves as a research and course assistant to former Assistant Secretary of Defense Ashton Carter and former Depute Secretary of Defense John White. He is currently researching problems and prospects of U.S.-China crisis management for the Preventive Defense Project, a research collaboration of Harvard University and Stanford University. Prior to his studies at the Kennedy School, he interned at the White House Office of Speechwriting and the U.S. Information Agency's Office of Research, and served in the Boston Bar Association's government-relations department. He is a 1999 graduate of George Washington University, where he graduated *Phi Beta Kappa* and as the Distinguished Scholar of the Elliot School of International Affairs.

Elizabeth Thomas

Elizabeth Thomas (MPP) is a native of Jacksonville, Florida. After graduating from Yale University with a Bachelors of Arts in Psychology, she worked as a Health Policy Analyst for the Office of United States Senator Bob Graham (D-FL). At the Kennedy School, she has concentrated her studies on health care policy, with specific focus on the issues of improving public health infrastructures and increasing access to care for uninsured populations.

Hallie Torrell

An MPP2 student at the Kennedy School, Hallie Torrell has served in the public sector at the local, state, and federal levels since 1994. From 1998 to 2000, she served as a U.S. Peace Corps Business Development Volunteer in Ukraine. In the summer of 2001, Hallie was honored with the Public Employees Roundtable Public Service Award and with a summer research travel fellowship from the Harvard Ukrainian Research Institute. In the summer of 2002, Hallie will serve as a Budget Analyst for the Health Cost Estimates Unit within the Congressional Budget Office. She will then pursue a Master's degree in Public Health at the Harvard School of Public Health in 2002-2003, after which she hopes to assume a leadership position in the field.

ABOUT THE EDITORS

Catherine Riordan (*Co-Editor-in-Chief*)

Catherine Riordan is an Australian lawyer who has worked in the human rights field, specialising in privacy, consumer and Bill of Rights issues. Her research interests at the Kennedy School include human rights, development, security issues and conflict resolution. Before coming to the School she was Deputy Privacy Commissioner for New South Wales, managed an aid project in the South Pacific, and mediated community disputes on the weekends for fun. In her spare time she sings jazz, enjoys hiking and intends to go to more yoga classes.

Jarrett Taubman (*Co-Editor-in-Chief*)

Jarrett Taubman is currently pursuing joint degrees in public policy at the Kennedy School of Government at Harvard and law at New York University, focusing on democracy and technology issues. He is a Founding Member of the Berkman Center Student Think Tank at Harvard Law School, where he is exploring the legal and policy implications of cyberspace on political institutions. He was born and raised on Long Island, New York, and spent his undergraduate years at Cornell University, where he studied Industrial and Labor Relations. In addition to his work on the *Kennedy School Review*, he will soon be a Staff Editor for the *Journal of International Law & Politics* at NYU. In his leisure time, he enjoys listening to and playing music, debating just about anything, and playing Ultimate Frisbee.

Jeffrey Kaplow (*Managing Editor*)

Jeff Kaplow is a first year Masters in Public Policy student concentrating in international security policy. Before coming to the Kennedy School, Jeff worked in the environmental practice of an energy consulting firm and in the political section of the U.S. Mission to the European Union. He also started his own computer consulting and training firm. Jeff enjoys playing frisbee and baking banana bread; he has always wanted to be a Managing Editor.

Balachandiran Gowthaman (*Business Editor*)

Balachandiran Gowthaman is a first-year MPA/ID at the Kennedy School. He was the country manager for Oxfam-Australia in Sri Lanka, focusing on emergency interventions and long-term development objectives in the multi-ethnic Sri Lankan environment. Gowthaman was involved in projects dealing with emergency relief, rehabilitation and resettlement, human rights, gender equity, income generation, and food security. He completed his Business degree and obtained professional qualifications as a Lawyer and Accountant in Sri Lanka. He hopes to specialize in development work in conflict environments. In his leisure time, he loves to read, write, travel, and take risks.

Eugene Mazo (*Articles Editor*)

Eugene Mazo (MPA/JD) is working towards a career in international law and public policy, with a particular interest in the legal and economic development of Russia and Eastern Europe. Born in Moscow, Mazo was raised in Newark, NJ. After graduating from Columbia University, he went on to study Russian and post-Soviet politics at Oxford, which he attended as a Rotary Ambassadorial Scholar and where he served as editor-in-chief of the *Oxford International Review*. In the past, he has also worked for *The Washington Post* in Moscow and for the United Nations (UN) in Tbilisi, Georgia, and as a travel writer for *Let's Go Travel Guides* on the Trans-Siberian Railroad. In addition to his master's degree at Harvard, he is also currently completing a joint law degree at Stanford.

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