THE INTERNATIONAL RELATIONS JOURNAL
SAN FRANCISCO STATE UNIVERSITY

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Overview

THE INTERNATIONAL RELATIONS JOURNAL at San Francisco State University strives to exhibit the diverse range of undergraduate and graduate research interests that flourish in our department.

Each semester, the *Journal* is offered as a course in which students participate as writers or editors in a peer review process, or as administrative staff members who assist authors and editors as well as guide the *Journal* through its production.

The goal of the course is to expose students to the peer review process, focusing on academic standards of argumentation and factual accuracy, citation formatting, and collaborative editing using Microsoft Word's "track changes" feature. More broadly, the Journal's executive editors aim to help students develop writing/editing skills applicable in other courses and promote a deeper understanding of the discipline of international relations as a whole.

Submissions & Process

The *Journal* encourages all students pursuing a B.A. or M.A. in International Relations to submit completed works (incomplete papers and abstracts are not accepted) at the beginning of each semester. From these submissions the *Journal*'s executive editors assign students to positions on the writing and editorial boards as well as a number of administrative-level appointments.

The course curriculum includes a number of informational workshops and at least three rounds of structured editing and revision. All editing is anonymous and each submission is reviewed by three different editors.

The structured peer review is as follows: [1] a submission is first edited by an undergraduate or graduate "peer expert" who has conducted prior research on topics and/or regions relevant to the paper and can thus provide fact checking and citation suggestions; [2] second round editing focuses on clarity and academic tone by pairing the manuscript with an editor unfamiliar with the paper's subject; [3] finally, the paper is edited for proper citation formatting and technical aspects.

At the end of the semester, authors participating in this process are expected to submit a final manuscript for consideration by the *Journal*'s executive editors and the faculty advisor.

Publication of Articles

Only submissions that have gone through the peer review process and meet the content and formatting requirements, will be considered for publication. The *Journal* is published yearly.

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ABSTRACT » *The paper aims to describe a normative shift in the balance between security and rights in cyberspace at the level of international law. First, I examine the current unstable foundation of the cybersecurity regime and its status in the larger body of international relations theory. Using the Copenhagen School of critical security studies and its derivatives, I attribute this shift to the treatment of the internet primarily as a zone of conflict by scholars and policymakers. I then critique this militarized view on its accuracy, as well as for overshadowing other frames through which the growth of cyberspace might be seen and responded to differently. Finally, I argue that this particular framing, coupled with some characteristics inherent to cybersecurity, makes the internet particularly vulnerable to policies more restrictive than would ordinarily be warranted.*

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Of Grey Hats and Black Ops: Cybersecurity in International Law

» by Julian Hamud

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Introduction:

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The concept of a "frontier" has a long, convoluted history, a moving target to be traced at best in contested terms and geographies. The development of the electronic frontier has caused unprecedented shifts in commerce, communication, and the nature of globalization. In doing so, it has raised new, strident challenges to established notions of place, sovereignty, and agency for state and non-state actors alike. One such facet is the rise of and state responses to malicious or political actions in cyberspace, be they under the banner of activism, cybercrime, cyberterrorism, or cyberwarfare. These terms, as we shall argue, are not neutral or inconsequential, and have specific consequences for the development of cybersecurity.

Whereas many security scholars and constructivists looked to cybersecurity as a case of failed (or impossible) securitization, this does not seem to be the contemporary case. Rather, the central aim of this paper is to prove that cyberspace is becoming increasingly securitized in law and practice, a process with pronounced impacts on state behavior and severely negative implications for human rights. To this end, we will first look to the history of cybersecurity, as the "technification" of the field can be a significant barrier.[1] Next, we will review the literature on the subject with an emphasis on the Copenhagen school of thought in relation to constructivism. From this direc-

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1 Lene Hansen and Helen Nissenbaum, "Digital Disaster, Cyber Security, and the Copenhagen School" International Studies Quarterly, 53 (2009) 1172

tion we shall look to the general international regimes and discourses that have formed around cybersecurity.

A Growing Concern

Definitions of cyberattacks vary wildly and there is no consensus as to what constitutes an attack.[2] A common distinction in the literature, is that of threats through cyberspace versus threats to cyberspace.[3] Threats to cyberspace deal with attacks on the actual infrastructure.[4] Threats through cyberspace are much more multifaceted, and include "cracking" of computers (illicit extraction of data, in the same sense of cracking a safe), computer viruses, and distributed denial of service attacks (DDoS), which are somewhat equivalent to flooding a telephone switchboard.

Numerous actors have interests in these tactics for clear reasons. Unarmed "resistant"[5] and "insurgent"[6] groups opposing states will have made use of the greater communication and coordination abilities afforded by the internet. Other violent groups have used the same means to create an impression of global presence. Other groups dubbed "hacktivists" keep their presence largely limited to the online realm.[7] Though they have been in existence since the 1990s, their numbers grew tremendously in the mid-2000s.[8] They are known to engage primarily in what hackers refer to as "grey hat" operations, which may violate the law or ethical standards, but are not for malicious gains. More traditional crime in cyberspace, such as 1994's $10 million Citibank hack, is also growing.[9]

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2   Ryan et al. 1166.

3   Ronald J.Deibert and RafalRohozinski. "Risking Security: Policies and Paradoxes of Cyberspace Security" International Political Sociology 4 (2010) 16-17

4   Graham Todd, "Armed Attack in Cyberspace: Deterring Asymmetric Warfare with an Asymmetric Definition." The Air Force Law Review 64 (2009) 82

5   Deibert and Rohozinski 21

6   Seth F.Kreimer, "Technologies of Protest: Insurgent Social Movements and the First Amendment in the Era of the Internet" University of Pennsylvania Law Review 150 (2001) 127

7   Alexandra Samuel, "Chapter 2: A Taxonomy of Hacktivism" in Hacktivism & the Future of Political Participation. Cambridge, MA: Harvard University Press, 2006.

8   Scott J. Shackleford and Richard B. Andres. "State Responsibility for Cyber Attacks: Competing Standards for a Growing Problem." Georgetown Journal of International Law 42 (Summer, 2011): 1008

9   Gable 80.

States are engaging more and more in cyber espionage, such as the 2009 theft of the F-35 plans by Chinese hackers,[10] as was recently confirmed by British and American intelligence officials.[11] The Stuxnet virus, one of the most advanced viruses to date, infected thousands of computers but acted only against Iranian centrifuges, causing many to break down; it is generally thought to have been created by state-sponsored Israeli and American hackers.[12] States have increased monitoring and surveillance for security purposes, but these often turn on the citizens they may protect.[13] Indeed, many of the security systems are "dual use", allowing internal censorship and monitoring as well as blocking intrusions and disruptions.[14]

Threats to cyberspace, on the other hand, are almost exclusively painted in terms of cyberterrorism or cyberwar and are internationally condemned in the current cyber law regime. These types of attacks have been discussed for decades, such as the infamous 1993 RAND declaration that "cyberwar is already upon us," but the evidence is, at best, dubious.[15] As we shall see, however, the lack of concrete precedent means that because such speculation may offer nothing solid, there is also nothing to keep them grounded.[16]

Cybersecurity and IR Theory

One common observation regarding the application of IR theory to cyber-security is that there simply has not been enough. The field was characterized by a realist trend in the 90s, followed by a large gap.[17] Now, there is a growing trend towards more specialized literature on the subject, but this was still geared towards individual policies and not towards IR or any theoretical framework.[18]

10 Kelly A. Gable, "Cyber-Apocalypse Now: Securing the Internet Against Cyberterrorism and Using Universal Jurisdiction as a Deterrent" Vanderbilt Journal of Transnational Law(Jan 2010) 61

11 "Security Experts Admit China Stole Secret Fighter Jet Plans" The Australian.March 12, 2012.

12 Siobahn Gorman and Julian E. Barnes."Cyber Combat: Act of Cyber War" Wall Street Journal. March 3, 2011

13 La Rue, Frank. "Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression." Human Rights Council 17th Session, May 16, 2011. 15

14 Rebecca Mackkinnon "Internet Freedom Starts at Home" Foreign Policy. May 3, 2012

15 Thomas Rid,"Think Again: Cyberwar." Foreign Policy. March/April 2012 .

16 Hansen and Nissenbaum1164

17 Myriam DunnCavelty, "Cyber Terror : Looming Threat or Phantom Menace? Framing the US Cyber-Threat Debate." Journal of Information Technology and Politics 4, no. 1 (2007): 21

18 John Erickson and GiampieroGiacomello, "The Information Revolution, Security, and International Relations: (IR)relevant Theory?" International Political Science Review 27, no. 3

While the realist trend seems the intuitive choice, especially given the idea of a mutually-assured destruction frame developing in "fits and starts", another school may be more productive.[19] Critical security studies look beyond the traditional security frame and look to underlying mechanics of such dynamics. The most prominent of these is the Copenhagen School, which stemmed from the work of Ole Weaver and Barry Buzan, among others, in the 1990s. Buzan and Weaver describe the way questions of politics become security issues via "speech acts" of securitizing actors when they convince their audience that a threat is existential and only extraordinary measures can answer it.[20] It has been used effectively, though in very few areas, to describe one key avenue towards both domestic policy and international norm changes, such as securitization of the HIV/AIDS epidemic in immigration and public health policy. [21]

What is striking, as indicated earlier, is that in spite of many credible supports for a Copenhagen approach to cybersecurity, the original consensus was negative. At a key conference, Copenhagen scholars openly dismissed a specific need to consider cybersecurity because there were "no cascading effects on other security issues."[22] One author calls it a case of "failed securitization" in two separate works, both based in the idea that "the observable impact of the threat politics process is the establishment of countermeasures or policies."[23] For a process of securitization as described by the Copenhagen School or its derivatives, the responses must be outside of the regular scope of government power.[24]

More recently, the trend has been called an example of "hypersecuritization."[25] Here, a "double move" shifts the political issues to a security issue and simultaneously "technifies" it, where jargon's impenetrability makes the process harder to challenge or question.[26] Despite the aforementioned objections, securitization of cyberspace has been prevalent. This paper will lend support to this

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(2006): 222.

19 Deibert and Rohozinski 17

20 Buzan, Barry, Ole Weaver and Jaap de Wilde. Security: A New Framework for Analysis (Boulder: Lynne Rienner, 1998):23-24

21 Marco Antonio Vieira, "The Securitization of the HIV/AIDS Epidemic as a Norm: A Contribution to Constructivist Scholarship on the Emergence and Diffusion of International Norms" Brazilian Political Science Review Vol. 2, 2007

22 Hansen and Nissenbaum 1156

23 MyriamDunn Cavelty. Cyber-security and Threat Politics: US Efforts to Secure the Information Age (New York:Routledge, 2008): 122

24 Buzan, Weaver, and Wilde 23

25 Hansen and Nissenbaum 1164

26 Ibid. 1172

strand of securitization theory with consideration for how such trends may play out on the international normative and domestic scales.

International Law, Organizations, and Discourse

The Nascent Regime

Due to the transversal nature of cybercrime and related phenomenon, a detour examining international law and norms is necessary. However, despite the increasing buzz surrounding cybercrime, very few policies specific to online action have formed. In the "nascent regime", there are contradictory practices and definitions that undermine any effective normative or even customary application.[27]

At the strictest understanding of a regime, and the only legally binding treaty on the subject is the Council of Europe's (CoE) Convention on Cybercrime of 2001.[28] The CoE Convention entered into force in 2004 for most European members and in 2007 in the US, who supports it with several reservations.[29] The scope of the treaty is very limited, with only 30 ratifications as of 2010,[30] only one from a state not party to the CoE. As such, it can hardly be considered a global norm, and the sparse definitions in it are not rigorous enough to give any real force to attempts at universalizing such definitions. One aspect of the treaty worth noting is its near-total reliance on territorial and active personality jurisdiction.[31] This is troubling considering that one of the few agreed-upon ideas in the emerging field of cybersecurity is the insufficiency of territorial jurisdiction.[32]

Through a looser framework for understanding regimes, however, we do see some "softer" abstract or advisory indications of what an expanded codified regime may entail. Ryan et al. indicate that the largest such contribution from an international organization is the "five principles for cyber peace" from the UN International Telecommunications Union.[33] These five extend common UN principles such as cooperation, citizens' protections, and the condemnation of harboring

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27 Ryan et al. 1166
28 Ibid. 2004
29 Declan McCullagh and Anne Broache, "Senate Ratifies Controversial Cybercrime Treaty"" CNET. August 4, 2006.
30 Convention on Cybercrime, as reported by the Council of Europe Treaty Office
31 Convention on Cyberime, Article 22
32 Gable 100
33 Ryan et al. 1171

"terrorists/criminals" and aggression, but with a notable addition of suggesting a commitment to peoples' access to communications.[34] Several other documents and bodies suggest similar steps, such as the UK's seven similar principles and the framework drafts of the CoE's Ad-Hoc Advisory Group on Cross-border Internet.[35]

Reaching For Precedent

Due to the weakness of sources and precedents for international cyber law, most of the legal writings on the subject base themselves in older pre-internet doctrines. These come from applications of broader doctrines or cross-application from other sectors based on metaphor. In both cases, there is an attempt to a trace a cyberlaw regime around existing laws and customs, like a constellation around stars. These efforts, however, necessarily create associations between the subject in question and the subject connected by metaphor. Ericksson and others warn that these connections distinctly shape the perception of an issue in the context of securitization.[36] Though there are many such frames, the most common device focuses on cyberspace as a conflict zone, to the frequent exclusion of other similarly applicable (and flawed) frames.

Cyberspace as Human Right

The extension of broader doctrines to cyber-law is a practice that simultaneously demonstrates the flexibility of broad treaties and the unique challenges of devising and applying cyberlaw. To take one example, there is a small degree of extension of existing human rights treaties to newer electronic circumstance. The UN Human Rights Council, notably, has seen reports indicating that the protections of expression in "any media" under the International Covenant on Civil and Political Rights (ICCPR) and to a lesser extent the non-binding Universal Declaration of Human Rights (UDHR) indicate that expression and speech are equally protected in cyberspace, insofar as the binding treaty offers protection.[37] This point is echoed by Michael Best, who looks more directly to the UDHR and argues that the "freedom to seek and receive information" can be crucially applied

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34 Hamadoun I. Toure.(2011). "The International Responses to Cyberwar" in Hamadoun I. Toure et al. (Eds.), The Quest for Cyber Peace 103
35 Ryan et al 1172
36 Ericksson213
37 La Rue 7

to the internet in at least a customary capacity.[38] Unfortunately, these bases have very severe limitations. For one, the UDHR is a completely non-binding document, and therefore, as Best implies, only indicates the direction of ideal circumstance. Furthermore, the ICCPR is undercut by gross inconsistencies worldwide in every section pertinent to cyberlaw, even absent the complications of that specific application.[39]

Cyberspace as Commons

Another significant framing we shall examine is the treatment of cyberspace as a form of commons. These formulations can be traced to the principle of the common heritage of all mankind in the United Nations Convention on the Law of the Sea (UNCLOS).[40] Throughout three principle commons metaphors, there is a general reliance on institutional frameworks for dispute resolution and rejection of force, as opposed to international humanitarian law's (IHL's) tacit acceptance of conflict and violation.[41]

As an early and effective treaty in the tradition of the commons, it makes sense to begin our analysis with the UNCLOS. Its basic contribution to the idea of the commons is in affirming the impossibility of owning the open sea, which is applied to the appropriation of the data packets sent through owned services and infrastructure. However, this frame's grounding in territorial facilities quickly diminishes its applicability.[42]

Another commons metaphor that is often seen is that of the space regime. As with the sea, there are some distinctly similar characteristics in both cyberspace and outer space. Indeed, though outer space is "the closest physical analogy to cyberspace," it is largely inappropriate as a metaphor, if for no other reason than the difficulty in monitoring compared to space.[43] A third frame, worthy of brief mention, is that of the Antarctic Treaty System (ATS). Cyberspace and the

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38 Michael Best, "Can the Internet be a Human Right?" Human Rights and Human Welfare (2004)
39 Ryan et al. 1171
40 Jennifer Frakes, "The Common Heritage of Mankind Principle and the Deep Seabed, Outer Space, and Antarctice: Will Developed and Developing Nations Reach a Compromise?" Wisconsin International Law Journal 21 (Spring 2003) 410-411
41 William Abresch, "A Human Rights Law of Internal Armed Conflict: The European Court of Human Rights in Chechnya." The European Journal of International Law 16, no. 4 (2005): 752
42 Shackleford (2009) 212-213
43 Bradley Raboin,"Corresponding Evolution: International Law and the Emergence of Cyber Warfare." Journal of the National Association of Administrative Law Judiciary (Fall 2011) 626

Antarctic both have some potential for militarization and exploitation, and in light of this threat the Antarctic Treaty System issues a comprehensive ban on military activity, but the lack of clear definitions of what constitutes military activity makes this ineffective on its own.[44]

From these three, we can, for one, see that there is a basis for addressing cybersecurity internationally from a non-securitized standpoint. Secondly, and less fortuitously, these metaphors are at best incomplete. Finally, while the idea of the commons has strong applicability to the online domain, such a conception is very much "politics as usual," based in an abstract public good. Given this formulation, if the lessons of the Copenhagen School are correct, then this frame is likely to be put aside as it benefits states, a prediction especially acute in relation to human rights.[45]

Cyberspace as Battlefield

Where the interest in enshrining rights associated with cyberspace is somewhat limited, there exists an extensive number of connections made to extant international security regimes. There is a long history of this trend in many nations' and IOs' discursive framings. RAND declared in 1993 that "cyberwar is already upon us,"[46] and Richard Clarke has been hailing the dangers of an "electronic pearl harbor" since the 1990s.[47] But these descriptions beg the fundamental question of whether an action in cyberspace can constitute an act of war/aggression.[48]

More recently, numerous authors have attempted to connect cyberwarfare with established IHL regimes for genocide and crimes against humanity.[49] Some legal arguments paint the 2007 attack on Estonia as a maneuver verging on a form of genocide.[50] Another analyst makes a similar assessment based on the "heinousness" of the crime.[51] This framing is important in that it connects the object of consideration to more familiar forms of repugnant violence, abetting securitization. Securitization here is not deterministic but invokes "a historical set of associ-

44 Shackleford (2009) 222
45 Ibid 10
46 Rid
47 Michiko Kakutani, "The Attack Coming From Bytes, Not Bombs" The New York Times 26 April 2010.
48 These concepts are certainly defined independently and differently by varying source literature, but for the sake of economy we shall group them
49 Gable 105; Shackleford (2009) 235;
50 Ibid 235
51 Gable 105

ations, a set of assumptions […], and the appropriate agencies" that will limit out or emphasize certain responses.[52]

Another dominant metaphor contributing to this vein of securitization is the connection to nuclear weapons. The non-proliferation regime as an analogue is found quite frequently.[53] Nye, for one, draws numerous parallels to the advent of nuclear technology and cyberwarfare, including the complications raised by civilian use and co-operational challenges, and a lack of empirical content in decision-making.[54] Furthermore, Both the US and Russia both have indicated that a nuclear response to catastrophic cyber-attacks is on the table.[55] At the extreme end of this argument, other legal scholars make explicit connections between the Estonia attack and a nuclear strike.[56], These together indicate that, despite the difficulties in attribution, there is at least the opinion that discursive deterrence is necessary, and plausibly the notion that such attacks truly are existential threats, whatever the truth behind that assessment may be. However, many authors have gone to pains to debunk the idea of the "electronic pearl harbor," and Nye's same contribution declares that "cyber does not pose an existential threat" as nuclear weapons do[57] In this light, these assertions are enormously problematic for several reasons.

First, the nuclear war comparison and the genocide/crime against humanity analogies are highly contentious at best and very likely hyperbolic. The simplest failing of these claims following is that they ignore the most basic characteristic of nuclear weapons: the terrible, annihilatory explosive and thermal force. The arguments equating the two means of attack generally focus on the EMP blast that is a side effect of nuclear use. This is akin to discussing a massive fire in a dense city and focusing only on the traffic jam created; it glosses over the very effects that make it so horrible. The ICJ's Nuclear Weapons Advisory Opinion emphasizes "indiscriminate effect on combatants and civilians or because of the unnecessary suffering caused to combatants," (italic emphasis mine) and so we shall address them separately.[58] The indiscriminate effects clause is answered sufficiently by existing doctrine and practice regarding dual-use infrastructure, a

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52   David Barnard-Willis, " 'This Is Not a Cyber War, It's A…?': Wikileaks, Anonymous, and the Politics of Hegemony." International Journal of Cyber Warfare and Terrorism.1.2 (2011) 18
53 Shackleford (2009) 197
54   Nye "Nuclear" 23-26
55 Shackleford (2009) 216
56 Shackleford (2009) 194
57   Nye "Nuclear" 22
58 Legality of the Threat or Use of Nuclear Weapons.International Court of Justice 1996. ICJ Case Archive. 257

topic well covered in applications of air power.[59] An attack on dual-use communication infrastructure and power stations would have a similar effect, but without triggering that clause.[60] As for the unnecessary suffering clause, if we return to the fire analogy, there is no comparing the wholesale death and destruction of a fire to the minor economic speed bump it may cause. Continuing from the legal standpoint, there is inherent shortcoming within the argument. The intent to cause a genocidal effect is a critical part of the claim, one that is a uniquely difficult task, especially when attribution itself is contentious.[61]

Finally, the 2007 attack on Estonia is a perfect example of the level of hyperbole involved. Despite lasting three weeks and being propagated by 85,000 hijacked computers in tandem, the attack caused no deaths and its biggest claim to notoriety, the takedown of the central bank, was for a grand total of three-and-a-half hours without actually penetrating the network.[62] Whether such an attack can be equated to the Rwanda or Srebrenica genocides, as authors following the two in question try to do, is a very easy question to answer in the negative.

Begging Questions

Due to the lack of clear and unified definitions for terms such as cyberwar, cyber-crime, and cyberterror (or of consensus on whether these are even legally equivalent to their kinetic analogues), attempts to preemptively define such an occurrence are wildly divergent. One school of thought revolves around the effects of the action (as naming it an attack is exactly a point of contention), and the main test here is the equivalency test.[63] Equivalence has also been tied to existing regimes of jus ad bellum for other contexts, including numerous ICJ rulings.[64] Many influential theorists such as Joseph Nye have embraced the test, though states have a somewhat uneven view.[65]

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59 Kristen Thomason, "Air Power, Coercion, and Dual-Use Infrastructure: A Legal and Ethical Analysis" International Affairs Review 17.2 (Fall/Winter 2008)

60 Shaw 1184-1185. This passage does not touch on the internet, but describes the physical examples used

61 Shackleford (2009) 235-236

62 Rid

63 Shackleford and Andres 996-997

64 Mary Ellen O'Connell and Louise Arimatsu. "Meeting Summary: Cyber Security and International Law" in Cyber Security and International Law (London: Chatham House, 2012) 6 Shackleford (2009) 231

65 Nye 21

Another approach to the task of definition looks to other factors in the incident instead of post-facto evaluations of the impacts of an attack. This approach parallels the Copenhagen school's analysis and maintains that a focus on effects allows too much flexibility during a crisis to deter violations of IHL.[66] As a result, there are numerous calls for greater definitional clarity in line with a criminal regime.[67]

Some examples of this push can be found in different attempts to clarify the "use of force" in the context of cyberspace, but here again there is no consensus. One perspective considers the use of weapons as the crucial element in determining assessing "force."[68] This view is supported by another ICJ ruling, this one from the Nicaragua case.[69] The definition of weapons in cyberspace then becomes the question, but such definitions are incredibly difficult to formulate.

Furthermore, there is a significant likelihood (and growing evidence) of state-sponsored, unconventional operations in cyberspace, which will further muddle future analyses. Here, rules of perfidy and non-combatant status are accordingly pushed to their limits,[70] while state liability for those violations, even in form of negligence, will certainly be strained.[71]

The Practical Impact of Legal Construction

To summarize, legal discourse has played on the construction of the "problem of cyberspace" to push towards more and more militarized and exceptional security measures.[72] The insufficiency of current international legal precedent has led many jurists to look to regimes for a metaphoric connection on the way forward in the treatment of cyber security. These metaphors are all insufficient in their own ways, and those that are most commensurate to the issue (the military and nuclear metaphors) grossly overstate the threat and bring the issue into the realm of security. As a result, IHL's balance of "humanity with military necessity"

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66 Wolfgang McGraven,"Intended Consequences: Regulating Cyber Attacks." Tulane Journal of Technology& Intellectual Property 12 (Fall 2009) 272-273

67 Todd 70. See also: Greg. "Cybersecurity's 7-Step Plan for Internet Freedom."Center for Democracy and Technology. March 28, 2012; MartiLehto, Aki-MauriHuhtinen and SaaraJantunen. "The Open Definition of Cyber: Technology or a Social Construction?" International Journal of Cyber Warfare and Terrorism. 1.2 (2011) 7-8

68 Graham 78

69 O'Connell and Arimatsu. "Meeting Summary," 7

70 Ibid 241-242

71 Shackleford and Andres 989

72 Barnard-Willis and Ashenden 11

can, and often will, put human rights as secondary and subject to gross violation.[73] Civil rights such as privacy and free speech have no chance of weathering such a storm.

When the very characteristics that make cyberspace so powerful are also the ones that make it seem so dangerous, yet the extent of any threat is largely unknown, there is more room for actors who have an interest in controlling the space to exert influence via securitizing it. This securitization can be seen in both attempts at planning or sifting out an international legal regime on cyberspace, and in specific countries' responses to the question of what to do with the electronic frontier. While to date there may not be examples of egregious rights violation attributable to internet technology, the "chilling effect" of securitization and militarization on rights means that they will be a part of future headlines and conflicts.[74]

This paper has highlighted the development of the cybersecurity regime into the familiar crucible of a securitized sector, and emphasized the way in which both states and scholars have constructed the frame as it stands. The regime will doubtless evolve from this burgeoning, unwieldy form as the issue gains more and more salience, and at present it seems that the shape it takes in crystallizing will be one all too familiar.

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73 ScheininandVermeulen 30-31
74 La Rue 9

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Bibliography

AAP. "US, Russia Plan Hotline To Avoid Cyberwar" Computerworld, 30 April 2012

Abresch, William "A Human Rights Law of Internal Armed Conflict: The European Court of Human Rights in Chechnya." The European Journal of International Law 16, no. 4 (2005): 741-767

Apps, Peter. "Analysis: WikiLeaks Battle: A New Amateur Face of Cyber War?" Reuters 9 Dec. 2010.

Barnard-Willis, David. "'This Is Not a Cyber War, It's A…?':Wikileaks, Anonymous, and the Politics of Hegemony." International Journal of Cyber Warfare and Terrorism.1, no. 2 (2011).

Barnard-Willis, David and Debi Ashenden."'Securing Virtual Space: Cyber War, Cyber Terror, and Risk."Space and Culture 20, no. 10 (March 2012). Sage

Benkler, Yochai. "Hacks of Valor."Foreign Affairs.4 April 2012.

Best, Michael. "Can the Internet be a Human Right?" Human Rights and Human Welfare (2004): 21-31.

Rebecca Boyle "Secret Cyber War Games Between U.S. and China Let Countries Role-Play Their Frustrations" Popular Science. April 17, 2012.

Buzan, Barry, Ole Weaver and Jaap de Wilde.Security: A New Framework for Analysis. Boulder: Lynne Rienner Publishers, 1998 Inc.

Cavelty, Myriam Dunn. "Cyber Terror: Looming Threat or Phantom Menace? Framing the US Cyber-Threat Debate." Journal of Information Technology and Politics 4, no. 1 (2007)

Corn, Geoffrey S. "Understanding the Limitations of Invoking the Court Martial Option for Trying Captured Terrorists." Williamette Journal of International Law & Dispute Resolution 17, no.1 (2009)

Council of Europe, "Convention on Cybercrime.Signed in Budapest November 23, 2001."Council of Europe Treaty Office.

Deiber, Ronald J., and RafalRohozinski. "Risking Security: Policies and Paradoxes of Cyberspace Security" International Political Sociology 4 (2010): 15-32.

Department of Homeland Security."Assessment of Anonymous Threat to Control Systems."DHS National CyberSecurity and Communications Integration Center Bulletin 16 Sept. 2011.

Elsea, Jennifer. "Terrorism and the Law of War: Trying Terrorists as War Criminals before Military Commissions" Congressional Research Service. December 11, 2011

Ericksson, Johan. "Cyberplagues, IT, and Security: Threat Politics in the Information Age." Journal of Contingencies and Crisis Management 9, no. 4. (Dec. 2001): 211-222. Academic Search Premier.

Erickson, John, and GiampieroGiacomello. "The Information Revolution, Security, and International Relations: (IR)relevant Theory?" International Political Science Review 27, no. 3 (2006): 221-244. JSTOR.

Etzioni, Amitai. 'Implications of Select New Technologies for Individual Rights and Public Safety', Harvard Journal of Law & Technology 11, no. 1 (2002)

Frakes, Jennifer. "The Common Heritage of Mankind Principle and the Deep Seabed, Outer Space, and Antarctica: Will Developed and Developing Nations Reach a Compromise?" Wisconsin International Law Journal 21 (Spring 2003): 409-434.

Gable, Kelly A. "Cyber-Apocalypse Now: Securing the Internet AgainstCyberterrorism and Using Universal Jurisdiction as a Deterrent." Vanderbilt Journal of Transnational Law (2010): 59-118

Gorman, Siobahn, and Julian E. Barnes."Cyber Combat: Act of Cyber War" Wall Street Journal.March 3, 2011.

Hansen, Lene, and Helen Nissenbaum. "Digital Disaster, Cyber Security, and the Copenhagen School" International Studies Quarterly 53 (2009): 1155-1175.

Kakutani, Michiko. "The Attack Coming From Bytes, Not Bombs" The New York Times. April 26, 2010.

La Rue, Frank. "Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression." Human Rights Council 17th Session, 16 May 2011.

Leaven, Tod and Christopher Dodge. "The United States Cyber Command: International Restrictions vs. Manifest Destiny." North Carolina Journal of Law and Technology 12 (2010): 1-28.

Legality of the Threat or Use of Nuclear Weapons.International Court of Justice 1996. ICJ Case Archive. 257

Lehto, Marti, Aki-MauriHuhtinen and SaaraJantunen. "The Open Definition of Cyber: Technology or a Social Construction?" International Journal of Cyber Warfare and Terrorism 1, no. 2 (2011): 1-9.

Mackkinnon, Rebecca. "Internet Freedom Starts at Home."Foreign Policy. April 3, 2012.

Maurer, Tim. "Cyber Norm Emergence at the United Nations" Harvard Belfer Center for Science and International Affairs, September 2011.

McCullagh, Declan and Anne Broache, "Senate Ratifies Controversial Cybercrime Treaty" CNET 4 Aug. 2006.

McGraven, Wolfgang. "Intended Consequences: Regulating Cyber Attacks." Tulane Journal of Technology & Intellectual Property 12 (Fall 2009): 259-275.

Mills, Elinor. "FBI Arrests 16 in Anonymous Hacking Investigation."CNET.19 July 2011.

Morrison Diane, and Justus Reid Weiner. "Curbing Enthusiasm for Universal Jurisdiction."Berkeley Journal of International Law 4 (2010): 1-11

Nagle, Luz E. "Terrorism and Universal Jurisdiction: Opening a Pandora's Box?" Georgia State University Law Review 27, no. 2 (Winter 2011): 339-378

Nojeim, Greg. "Cybersecurity's 7-Step Plan for Internet Freedom."Center for Democracy and Technology. March 28, 2012.

Nye, Joseph S.."Nuclear Lessons for Cyber Security?"Strategic Studies Quarterly 5.4 (Winter 2011) 18-38.

O'Connell, Mary Ellen and Louise Arimatsu. "Meeting Summary: Cyber Security and International Law." Cyber Security and International Law (London: Chatham House, 2012) 6

Raboin, Bradley. "Corresponding Evolution: International Law and the Emergence of Cyber Warfare."Journal of the National Association of Administrative Law Judiciary (Fall 2011): 603-688.

Rech, Walter. "Rightless Enemies: Schmitt and Lauterpacht on Political Piracy" Oxford Journal of Legal Studies 32, no. 1 (2012).

Reus-Smit, Christian. "Politics and International Legal Obligation" European Journal of International Relations 9, no. 4 (2003): 591-626. Sage.

Rid, Thomas. "Think Again: Cyberwar." Foreign Policy. March/April 2012.

Robel, Dan. "International Cybercrime Treaty: Looking Beyond Ratification." SANS Institute, 2007.

Roberts, Paul. "Despite Intrusions, Chances Of U.S.-China Cyber War Are Small." Threat Post. March 1, 2012.

Ryan, Daniel, Maeve Dion. EnekenTikk, and Julie Ryan "International Cyberlaw: A Normative Approach." Georgetown Journal of International Law (2011): 1162-1197.

Samuel, Alexandra. "Chapter 2: A Taxonomy of Hacktivism" in Hacktivism& the Future of Political Participation. Cambridge, MA: Harvard University Press, 2006.

Samuel, Alexandra. "Chapter 5: Hacktivism and the Future of Democratic Discourse" in Hacktivism& the Future of Political Participation. Cambridge, MA: Harvard University Press, 2006.

Scheinin, Martin and Mathias Vermeulen. "Unilateral Exceptions to International Law: Systematic Legal Analysis and Critique of Doctrines to Deny or Reduce the Applicability of Human Rights Norms in the Fight Against Terrorism." Essex Human Rights Review 8, no. 1 (2011): 20-56

"Security Experts Admit China Stole Secret Fighter Jet Plans" The Australian. March 12, 2012.

Shackleford, Scott J., and Richard B. Andres. "State Responsibility for Cyber Attacks: Competing Standards for a Growing Problem." Georgetown Journal of International Law 42, Summer (2011): 971-1016.

Schwartz, Matthew J. "Can Anonymous Cripple Critical U.S. Infrastructure?" Information Week.18 Oct. 2011.

Spanos, William V. "American Exceptionalism, the Jeremiad, and the Frontier: From the Puritans to the Neo-Con-Men" boundary 2 (Spring 2007): 35-66.

Thomason, Kristen. "Air Power, Coercion, and Dual-Use Infrastructure: A Legal and Ethical Analysis" International Affairs Review 17, no. 2 (Fall/Winter 2008) No page numbers.

Thompson, Karson K. "Not Like an Egyptian: Cybersecurity and the Internet Kill Switch Debate." Texas Law Review (2011): 465-495.

Todd, Graham. "Armed Attack in Cyberspace: Deterring Asymmetric Warfare with an Asymmetric Definition." The Air Force Law Review 64 (2009).

Toure, Hamadoun I. (2011). "The International Responses to Cyberwar" in The Quest for Cyber Peace, edited by Hamadoun I. Toure et al.

Thrifty-Tel, Inc. v. Bezenek, 46 Cal. App. 4th 1559 - Cal: Court of Appeal, 4th Appellate Dist., 3rd Div. 1996. LexisNexis Academic.

Tsukayama, Hayley. "25 Alleged Anonymous Member Arrested After Interpol Investigation." The Washington Post.29 Feb. 2012.

United Nations Office of Outer Space Affairs. "Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies" Signed at Washington, London, and Moscow 27 Jan. 1967.

Vieria, Marco Antonio, "The Securitization of the HIV/AIDS Epidemic as a Norm: A Contribution to Constructivist Scholarship on the Emergence and Diffusion of International Norms" Brazilian Political Science Review 2 (2007)

White House "Cyberspace Policy Review: Assuring a Trusted and Resilient Information and Communications Infrastructure".

ABSTRACT » *International agreements have long been an established method of mediating conflicts and bringing about peaceful moments of respite to citizens and governments alike. Even though such agreements have been a cornerstone in peaceful settlements of disputes, in certain circumstances they still prove inefficient, lacing and even counter-productive in reaching a settlement. As such this paper will be a case study examination of international agreements and calls into question the ability of such agreements in settling or remedying a dispute in a long-term manner. Therefore this paper will look at the legal effect and construction of the Oslo Peace Accords (1993) and the ensuing Jericho-Gaza Agreement (1994) and their efficacy in creating viable monetary institutions for the Palestinian territories. In such a context, this paper will argue that such agreements, while providing a moment of respite and quasi-stability, did short of nothing to create a viable monetary body. Additionally, this paper will look at the increasing roll of Hamas and the issues this non-party member poses to the legal effect of the Oslo Accords and Gaza-Jericho Agreements. As such, on the point of agreements this paper argues that agreements must be fluid and amendable, and ready for renegotiation at the change of legal facts.*

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The Viability and Efficacy of International Agreements:
Israel and Palestine

» by Fernando Cervantes

Introduction:

Ethnic related territorial disputes have proven to shape the contours of history and geography. The Korean partition, the conflict in Northern Ireland, or the more recent South Sudanese separation, all point to the longevity and intensity of ethnic related territorial disputes. As such, the issue remains an area of "problemization[1]" for international law and international relations. Of the most lasting conflicts, the Palestinian-Israeli dispute remains one of the most problematic not just for its endurance but for the challenge the crisis has presented to the efficacy of institutions and internationally brokered agreements. Throughout the course of the conflict, periods of sustained peace have been interrupted by armed confrontation- straining economic development and the creation of viable Palestinian institutions. The most pressing issues that exacerbate the conflict are those centered on humanitarian issues; issues of adequate access to food, inability to move throughout the occupied territories and Israel and inadequate accounatbllty systems for posing grievances and requesting reparations[2].

Exacerbating the issues even more is the introduction of Hamas as an autonomous regional political actor

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1 Paul Rabinow, "Amidst Anthropology's problems," in Global Assemblages: Technological problems, Politics and Ethics as Anthropological Problems, edited by Aihwa Ong and Stephen Collier, (Blackwell Publishing: 2009) p 41- 54.

2 "Fragmented Lives, Annual Report 2011," United Nations: Office for the Coordination of Humanitarian Affairs Occupied Palestinian Territory, OCHA oPt. May 2012.

and the ensuing reaction of the Israeli government in blockading and isolating Gaza. The Israeli blockade created a series of hardships for Palestinian communities that impeded economic transaction and export-import flow. In light of such circumstances, international institutions such as the United Nations (UN) or the international donor community have, as best they can, facilitated economic development but Palestine's future cannot hinge on the action of foreign entities. While aid is needed, donors and institutions at most, must facilitate dialogue but solutions and remedies must come from Israeli and Palestinian factions.

The Gaza and West Bank regions serve as exemplary case studies to explore the problems in enforcing legal frameworks in regions marred by economic chokehold and oscillating instability. The Gaza-West Bank regions suffer some of the most discerning levels of unemployment, infrastructural decay and a challenge to develop small and medium size businesses[3]. International institutions have taken note of the crises and issued reports to illuminate the humanitarian crisis, World Bank (2012), UNSCO (2012). Even with such levels of concern from international institutions and organizations there is still no legal framework or agreement to remedy the unfolding crisis. Compounding the lack of a legal framework is the unfolding economic slowdown in the Gaza and West Bank regions[4]. This slowdown not only worsens the mentioned humanitarian issues above but also tests the institutions and agreements that were made to gradually create livable Palestinian territories.

The purpose of this paper is to examine how the current monetary bodies in Palestine (PMA)- as set forth by the Oslo Peace Accords (1993) and the ensuing Jericho-Gaza Agreement (1994), created a binding economic system that is both inept and unable to meet the consumer needs of individuals living in Gaza and the West Bank.[5] This case study serves as an analysis of international agreements and their efficacy in stabilizing contemporary territorial disputes as well as creating viable legal structures that are self-sustaining and fulfilling of their mandate and legal personhood. The introduction of Hamas as administrator of Gaza will be also explored; specifically regarding Hamas' effects on the established legal framework and the manner in which the actor challenges the efficacy of the Palestinian Monetary Authority. The co-mingling of various actors in the conflict con-

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3   "Palestinian Economic Bulletin," The Portland Trust. Issue N. 75, December 2012.

4   http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/AHLCReportFinal.pdf (date accessed: 2/25/13)

5   Ibid.

tributes to the problematic narrative, and as such, challenge legal and analytical assumptions.

Methodology

For the purpose of this paper I will examine the creation of a Palestinian monetary and financial framework as established by Oslo Peace Accords (1993) and the ensuing Jericho-Gaza Agreement (1994). I will also examine the ascension of Hamas and the issue this poses to the normative-legal framework established between Israel and the PLO, as Hamas is not a party member to any of the past agreements. This case study will serve as an analysis of international agreements and their efficacy in stabilizing contemporary territorial disputes as well as creating sustainable legal structures that are self-sustaining and fulfilling of their mandate and legal personhood. In short I argue that agreements are helpful in creating initial starting points but if constructive talks are halted and crisis reintroduced, then new talks must be initiated to contextualize the new and changing situation. The world of course, is not static, thus agreements and procedural processes must be fluid and innovative.

Background of Conflict

The Israeli-Palestinian conflict has long tested the efficacy of international institutions in settling territorial disputes. Multiple IGO's, civil society groups, and states have worked in furthering the peace process in the Gaza - West Bank regions. Efforts to settle the dispute stem from post WWI reconstructions, where administration of lands previously held by the Ottoman Empire transitioned to Western administration. Specifically, "those colonies and territories… which are inhabited by people not yet able to stand by themselves under the strenuous conditions of the modern world."[6] In a geopolitical sense, the mandate system realigned the power structure in the Middle East, allowing Western powers a long awaited point of access to lands and resources once in the exclusive jurisdiction of the Caliphate. Also, placing emphasis on the purpose of the mandate which was to administer lands belonging to people "not yet able to stand by themselves under the strenuous conditions of modernity…,[7]" it could be said that the mission of the mandates completely failed since from the time of the Palestinian Mandates no

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6 League of Nations, Covenant of the League of Nations. Art, (22), Pg. 9-10. 28 April 1919, available at: http://www.unhcr.org/refworld/docid/3dd8b9854.html
7 Ibid.

proper conditions or structures indicative of a contemporary life, such as proper infrastructure, adequate access to resource and the ability to move freely have not been successfully established.

Following the precedents set by the mandates, in 1947 the UNSCOP (United Nations Special Commission on Palestine) initiated a conflict-study to formulate potential policy and legal agreements with the intentions of quelling the conflict and bringing an agreement with reciprocal terms to both parties.[8] Like the mandate, the study was a Western initiative and although it elucidated many facts and grievances it ultimately failed to create a solution that both Israeli and Palestinian factions agreed with. The subsequent UN forums and multilateral diplomacy resulted in the partitioning of Palestine and the official creation of the Israeli State in 1948.[9] As such, the latter half of the twentieth century has since been fraught with Israeli-Arab conflicts. These conflicts rupture with infrequency and oscillate from fragmented crossfire to, uniform military attacks, such as the recent confrontation in November of 2012.[10] The instability stems from the lack of furthering the peace process in a manner that all parties could mutually agree with. The first act to solidify a major agreement did not come until after the Cold War and really, not until the Gulf War ended on a seemingly successful note. At the time the Oslo Accords were signed, it seemed that the legal groundwork to settle the dispute was at hand but history shows that optimism was not only short lived but perhaps unwarranted as no real solution materialized.

In 1993, the Declaration of Principles on Interim Self-Government Arrangements or "Oslo Accords," became the backbone of future Palestinian-Israeli agreements. The more significant developments of the Oslo Accords were the creation of Palestinian institutions that would act as the framework for the new Palestinian government. The Gaza-Jericho Agreement expanded cooperation between the Palestine Liberation Organization (PLO) and the Israeli state, particularly in matters concerning the macro economy between Israel and the West Bank- Gaza regions. The Gaza-Jericho agreement contains a more detailed description of macro-economic operation in the West Bank and Gaza. The agreement set monetary and fiscal policy (for both Israel and Palestine) and custom and tariff details to just name a few of the outlined economic policies[11].

8   Adam Garfinkle, "Politics and Society in Modern Israel," M.E. Sharpe, New York: 2000.
9   Ibid
10 UNGA/EF/ 3350. Sixty- Seventh General Assembly, Second Committee, 22nd Meeting, November 6,2012. http://www.un.org/News/Press/docs/2012/gaef3350.doc.htm
11 Gaza -Jericho Agreement, Annex IV Economic Protocol, (Paris, 4/29/1994) (date accessed: 9/16/12) http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20

Lack of Uniformity in the Palestinian Territories: Oslo and its Discontent

While the Oslo Accords brought a sense of legitimacy to Palestinian institutions it also laid the framework for the macro economy of Palestine and inherently pinned it to the larger, much more dynamic Israeli economy. To closely examine the monetary policy rights of the Palestinian Authority, it is important to review the Jericho-Gaza Agreement, which was incorporated into Oslo II as the economic protocol for both parties. One of the more startling facts about the agreement is that nowhere within it is there a mention of a Palestinian currency. In article 4, all monetary policy and financial issues are highlighted and the Palestinian Monetary Authority (PMA) was given rights in controlling liquidity, stability, and solvency, but rights to issue currency remained absent [12]. The New Israeli Shekel (NIS) though is mentioned as the acceptable use of currency in the areas.[13] Establishing the NIS as acceptable currency for circulation was a good preliminary move in establishing a sense of monetary legitimacy, but the architects of the agreements failed to foresee that sustained instability would make it difficult for foreign direct investment or private firms to make substantial commitments.[14]

Creating an independent body to administer monetary policy is important but when this body has restricted competence, if any, then what exactly can the PMA do in terms of controlling, as best it can, the fiscal and monetary issues plaguing the Palestinian territories? As such, most, if not all, imports coming into the West Bank and even Gaza are paid with Shekels. Exacerbating this issue, as a recent World Bank found, is the lack of mobility in the Palestinian territories. Lack of mobility hinders economic development, as firms can perceive the area as not only a risky but also completely lacking in incubating investments. Aside from inequalities in terms of trade, there are also stark violations to Oslo I, which called for "cooperation in the fields of water, energy, finance, transport and communication and trade"[15].

Process/Gaza-Jericho%20Agreement%20Annex%20IV%20-%20Economic%20Protoco

12 Ibid

13 Ibid

14 World Bank, Fiscal Crisis, Economic Prospects: The Imperative for Economic Cohesion in the Palestinian Territories, September 23, 2012 http://siteresources.worldbank.org/ INTWESTBANKGAZA/Resources/AHLCReportFinal.pdf (date accessed: 2/25/13)

15 Declaration of Principles on Interim Self-Government Arrangements ("Oslo Agreement"), 13 September 1993, available at: http://www.unhcr.org/refworld/docid/3de5e96e4.html [accessed 18 September 2012]

Water rights, the transport of goods and people, and water and energy grids are inefficient in the West Bank but especially in Gaza. A recently published UN report questions the livability of Gaza, given the current demographic trends and status of current infrastructure and government efficacy in providing services like education and health care.[16] The transport of goods poses a particular issue to Palestinians producers wishing to sell their goods in different markets. A World Bank study found that "road networks (posed) constrains to agricultural developments…(because) to transport agricultural products within the West Bank, to Israeli markets, and to world markets, Palestinian farmers and traders are required to make long detours and to spend considerable time at checkpoints and commercial crossings which reduce their products' quality and price. "[17]

The West Bank is dealing with its own set of crises. Much of the current crisis in the West Bank is firmly centered on inflation and falling purchasing power for daily consumers. Protests throughout the West Bank have ignited in the passed month alone, various reports correlate the rise in protests to the rising cost of living in various Palestinian cities[18]. According to Al-Jazeera, taxi drivers, students and various other factions have taken to protest[19]. The same report sheds light on the Israeli control over terms of trade and a disparity in income between Israel and the West Bank at 30 % [20]. How can such terms of trade be sustained when the economic condition in Israel, while not perfect, is much better than in the West Bank? This highlights another failure of the UN-brokered Oslo Accords in creating a livable Palestinian territory. The recent ascension of Hamas as the formal administrative body of Gaza places more tension on the legal bodies that were established in the Accords.[21] Still, it remains to be seen if Hamas can turn this small amount of recognition into real currency and establish a relationship with its neighbors—both Arab and Jewish.

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16 United Nations, "Gaza in 2020 A livable Place?," August 27, 2012, Washington DC (Date accessed: 9/15/12)

17 World Bank, (2012) p.18.

18 Ben Sales, "Palestinian economic protests point to uncertain future for PA, Israel," Tel Aviv: 9/16/2012. (date accessed: 9/17/12) http://www.jta.org/news/article/2012/09/16/3106996/palestinian-economic-protests-point-to-uncertain-future-for-pa-israel

19 Stefanie Dekker, Palestinians Protest High Cost of Living, (Aljazeera; 9/10/12) (date accessed 9/17/12) http://www.aljazeera.com/video/middleeast/2012/09/201291019394975394.html

20 Ibid

21 Bronner, E. Gaza Crisis Poses Threat to Faction Favored by U.S. New York Times, 11/7/12. Gaza Crisis Poses Threat to Faction Favored by U.S. http://www.nytimes.com/2012/11/20/world/middleeast/hamas-strengthens-as-palestinian-authority-weakens.html?pagewanted=all&_r=0

Enter Hamas

The agreements, made between the PLO and the state of Israel bring into question the issue of Hamas and monetary jurisdiction of the PMA in Gaza. Because Hamas is not party to the Accords, the PMA and Hamas have no reliable line of communication, nor is there a legal document that can codify PMA jurisdiction under a Hamas administered Gaza. Even under such circumstance, the Palestinian Monetary Authority should be granted monetary jurisdiction of Gaza. A recent World Bank report highlights the issue if transferring cash from the West Bank to Gaza. According the reports, the PMA informs that it has not been able to get permission to transfer money as often as required. Compounding this issue, the same report found that real growth in Gaza decreased to 6 percent.[22]

Analysis and Implications

As this case study has shown, internationally brokered agreements can at times, settle disputes and also set institutional frameworks for systems of governance. This case study shows that the issue is not that institutions cannot be made by IGOs but that political alignments can inform their construction. In this case, the formal recognition of the state of Israel created a scenario in which Palestinian institutions were created long after the Israeli state was. This historical precedent allowed Israel to formally develop as states expectedly do: with a formal constitution, a macro economy, UN membership, and even a military. On the contrary, the Palestinian territories (Gaza and West Bank) lack all the mentioned qualities of a state. Additionally the series of Western intervention from the mandate system forward could by itself be seen as a failure. The mandate system for example, stipulated that Western administration of certain lands was valid because the people inhabiting the lands were allegedly, "not yet able to stand by themselves under the strenuous conditions of the modern world."[23] To this day, The West Bank and Gaze fail to stand up by themselves though this is not due to incompetence of administration but rather due to a series of structural conditions coupled with persistent instability that imped the implementation of human life grounded on dignity and equity.

Even when talks are feasible and agreements formally codified, continued instability has eroded the little institutional presence that the Jericho-Gaza

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22 World Bank, (2012).

23 League of Nations, Covenant of the League of Nations. Art, (22), Pg. 9-10. 28 April 1919, available at: http://www.unhcr.org/refworld/docid/3dd8b9854.html

Agreement or Oslo II accords established. While institutional creation afforded Palestine to organize a degree of monetary policy there still lacks several key components of full-fledged state institutions. Better mobility of goods, people and merchants, as already discussed, show how the Palestinian territories lack some of the most basic characteristics of macro-economic exchange. The use and circulation of the NIS in Palestinian trade also presents considerable issues for the macro-economic environment of the territories. Issues of accessing currency of more developed states have always plagued economically subordinate states or regions. For the case of the Palestinian territories, paying for imports in expensive currencies creates inflation issues, which essentially makes goods and services more expensive. Already, talks to make a new Palestinian currency have gained momentum, but still aside from talk nothing has truly materialized.

On the point of inaccessible resources like water and other basic goods necessary for human life, this shows a major point where a third party could intervene. While neither party can seemingly agree on issues of territory or Israeli and Palestinian nationhood, what is beyond question is that no human should live without the essentials that make human life possible. Especially being that Israel is highly developed, there should be no reason why better infrastructure for the delivery of resources cannot be built and protected. In fact, this paper recommends that before monetary issues or other fiscal related issues are dealt with, lacking resources like adequate health care, education and access to water and food must be established and protected. Also, there could be a transfer of technology and know-how from the dynamic Israeli industries to Palestinian entrepreneurs attempting to create industry and new markets in the Palestinian territories.

Hamas complicates the feasibility of creating viable and effective institutions. Already mentioned is the fact that Hamas is not party to an agreement or legal framework. The inability of Palestinian Monetary Authority to enact proper monetary policy, like transferring money from the West Bank to Gaza highlight issue of Hamas' non-party status. Complicating the issue further is the fact that many states perceive and label Hamas as a foreign terrorist organization[24]. As such, this makes direct talks between possible third parties and complicates traditional forms of dispute settlement such as good offices or mediation. Labels of course can only go so far in impeding a peaceful settlement of dispute. To

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24 Chapter 2 -- Country Reports: Middle East and North Africa Overview, Country Report on Terrorism. Department of State, April 30, 2007. http://www.state.gov/j/ct/rls/crt/2006/82733.htm

create a better institutional framework for the Palestinian territories Hamas must be engaged, regardless if it is designated as a terrorist organization. States and IGO's must remember that though Hamas might be perceived as unpredictable and anti-Western, there are still humans living under its administration. With that simple fact alone there is more then enough reason to directly engage Hamas and establish talks. The West should not perceive this as an instance where a terrorist organization was legitimated but rather the instance when parties looked passed their difference for the betterment of entire communities of human lives.

Conclusion

The current unfolding economic crisis in Palestine shows a failure of the UN brokered agreements in establishing viable institutions. The accords never promised economic stability in a climate of economic uncertainty, but they should have at least foreseen the issues of pinning the Palestinian economy to the Israeli economy. Both economies are very different, with the Israeli economy enjoying larger investment, better terms of trade and more foreign investment and aid than the donor community could ever give Palestine as a supplement. As such this paper has seen how agreements brokered by IGO's such as the UN can instill moments of peace and cooperation but in light of continual aggression and instability it is imperative to renegotiate at every turn of the crisis. Failing to do so, as already highlighted, can bring severe humanitarian issues and compound one failure with an unforeseen event. In the case of the current Palestinian occupied territories, the failure of Oslo II and the ascension of the recent global recession highlight the potential inefficacy of international agreements. More importantly this particular failure highlights when agreements are not updated the very systems that were created to stabilize and promote institution building can actually promote and solidify structures, that with time, become more counterproductive and damaging than helpful in maintaining stability and equity. In fact for agreements to stay relevant to the emerging legal facts is and will continue to be an area of problemization for international law and international relations.

Bibliography

Bronner, Ethan. Gaza Crisis Poses Threat to Faction Favored by U.S. New York Times, 11/7/12. Gaza Crisis Poses Threat to Faction Favored by U.S. http://www.nytimes.com/2012/11/20/world/middleeast/hamas-strengthens-as-palestinian-authority-weakens.html?pagewanted=all&_r=0

Declaration of Principles on Interim Self-Government Arrangements ("Oslo Agreement"). 13 September 1993, available at: http://www.unhcr.org/refworld/docid/3de5e96e4.html [accessed 18 September 2012]

Dekker, Stefanie. Palestinians Protest High Cost of Living, (Aljazeera; 9/10/12) (date accessed 9/17/12) http://www.aljazeera.com/video/middleeast/2012/09/201291019394975394.html

Fragmented Lives, Annual Report 2011," United Nations: Office for the Coordination of Humanitarian Affairs Occupied Palestinian Territory, OCHA oPt. May 2012.

Garfinkle, Adam. "Politics and Society in Modern Israel," M.E. Sharpe, New York: 2000.

Gaza -Jericho Agreement. Annex IV Economic Protocol, (Paris, 4/29/1994) (date accessed: 9/16/12) http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Gaza-Jericho%20Agreement%20Annex%20IV%20-%20Economic%20Protoco

League of Nations, *Covenant of the League of Nations*, 28 April 1919, available at: http://www.unhcr.org/refworld/docid/3dd8b9854.html

Sales, Ben. "Palestinian economic protests point to uncertain future for PA, Israel," Tel Aviv: 9/16/2012. (date accessed: 9/17/12) http://www.jta.org/news/article/2012/09/16/3106996/palestinian-economic-protests-point-to-uncertain-future-for-pa-israel

United Nations. "Gaza in 2020 A livable Place?," August 27, 2012, Washington DC (Date accessed: 9/15/12)

UNGA/EF/ 3350. Sixty- Seventh General Assembly, Second Committee, 22nd Meeting, November 6,2012. http://www.un.org/News/Press/docs/2012/gaef3350.doc.htm

ABSTRACT » *Free trade is part of a larger package of liberal economic policies that aims to create equitable and efficient economic growth at the global level. This paper examines the evolution of liberal economic theory through the viewpoints of influential scholarship as well as the implementation of domestic and international policy. Through evaluation of the implications of liberal economic theory and globalization, economists and scholars alike can aim to reform and rebuild the ideological framework of international market approaches. With consideration of stability, cooperation, and equality, a global economic order can be established that promotes the sustainable growth of the market that is beneficial for all nations.*

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A Chronology of Economic Liberalism and Free Trade

» by Monica White

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Introduction

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Since the Second World War, the global economic order has championed free trade as the most efficient and prosperous path to international stability. Free trade removes protectionist measures designed to insulate domestic producers from international competition in the name of improving efficiency and increasing global wealth under open competitive markets. Free trade is also utilized as a foreign policy tool to achieve political, economic and social goals either by agreements or restrictions such as sanctions. The economic benefits of free trade policies are vast and include lower consumer prices, decreased protectionism, and increased innovation and economic opportunity. In diplomatic realms, free trade has led to deepened foreign relations, increased foreign investment, and the promotion of democracy and Western values on a global scale.

Most economists agree that there is currently no viable alternative to free trade or trade liberalization.[1] Capitalism and globalization have unleashed market forces internationally and proven that economies can be cooperative and can provide maximized mutual benefit for participants. This leads to increased employment, lower consumer goods, and increased government revenue – all on a global scale. For the purpose of this paper, I will examine the impacts of free trade under economic liberalism on international cooperation and global peace; economic, political, and social growth;

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1   Amartya Sen. "How to Judge Globalism." The American Prospect, 13, 1. (2002).

and increased economic efficiency globally. Through the lens of an economic liberal, I will examine global free trade and economic development as well as the costs and risks of not participating in the global market. I will also examine the assumption of economic liberals that the risks of free trade can be overcome in the long-term through the mutual benefits of free trade, which include global peace and poverty alleviation, as well as globalization of technology and development.

Literature Review - A Chronology of Economic Liberalism and Theorists

The goals of economic liberalism (EL) favor maximization of individual and social well-being, with the nature being cooperative. The central actors in EL are rational actors or individuals as both consumers and producers. For individuals, EL promotes democracy by ensuring individual rights including negative rights or freedom from state authority as well as individual positive rights such as healthcare.[2] EL principles and free trade also promote cooperation, peace, and harmonious competition through mutually beneficial exchanges.[3] The economic exchange for an economic liberal is a positive-sum, or mutually beneficial with individuals gaining more than they contributed due to the market operating under specialization and therefore the highest efficiency.[4] Therefore, ELs argue that increased prosperity in a globalized market economy of one nation is good for the people of the neighboring country and therefore human prosperity will increase globally with the expansion of the free market.[5]

Economic liberalism is a critique of 16th and 17th century mercantilism and government involvement within the economic sphere. Economic liberalism seeks to reverse political control and regulation of the economy by the state while urging individual actors to lead the market through their purchasing power. The father of EL is Adam Smith, who believed that open markets absent of state protectionist policies are capable of the most efficient process towards economic growth, individual prosperity and international cooperation.[6] Smith argued that protectionist measures were the state's way to concentrate wealth and power, which contradicts with the highest values of liberal thought - freedom, liberty and pursuit of hap-

2   Michael Doyle. Ways of War and Peace: Realism, Liberalism, and Socialism. New York: W.W. Norton, 1997.

3   David Balaam and Bradford Dillman. Introduction to International Political Economy. Boston: Longman, 2011.

4   Balaam and Dillman, Ibid.

5   Scott Burchill. "Liberalism." Theories of International Relations. (2009). 64-70.

6   Adam Smith. An Inquiry into the Nature and Causes of the Wealth of Nations. Indianapolis, IN: Liberty, 1981. 400-410.

piness. Through open markets and nations united under liberal ideology, Smith believed peace and human prosperity would prevail and expected little or no conflict among liberal people or nations. EL was expanded by David Ricardo's theory of comparative advantage and economic specialization, which aims to distribute labor most efficiently. Ricardo argued that nations producing what they were most capable of or what they were specialized in would lead to highly efficient production on the global scale and therefore global wealth for all nations. To quote Ricardo, "the pursuit of individual advantage is admirably connected with the universal good of the whole."[7]

Classical economic liberals like Smith and Ricardo follow the theories of laissez-faire economics in order to enhance the market, which calls for the elimination of domestic political restrictions on trade such as quotas or taxes on imports. In the 19th century, however, the free market was exacerbating income inequalities and wealth and power accumulation, as noted by the British philosopher and economist John Stuart Mill.[8] To counter, Mill suggested a legal framework with minimal political construction in order to regulate and correct market failures and counter the inequality trends. Mill's theories were adopted by John Maynard Keynes in the 1930s, who relied on Smith's principles of constructed state action. Keynes argued for a wisely managed economy by the state to avoid the risks of free trade. Keynes noted that the future is uncertain under a free market because the invisible market can fail and ensuring that risks are distributed equally was an impossible task. This was later illustrated by the Asian financial crisis of 1997-1998, and more recently the Global Financial Crisis of 2007/2008.[9]

Keynes argued that state intervention is acceptable as long as it serves the public interest and avoids market failures. In the beginning of the 19th century, domestic governments spent less during periods of decline in the free market which in return led to decreases in production and lower incomes and employment, a phenomenon which Keynes has termed the paradox of thrift.[10] Keynes also theorized that this paradox can be inspired through market speculation, and therefore called for regulation by the state in the name of improving the market and avoiding economic disaster.[11] Keynesianism was adopted by U.S. Democrats

7   David Ricardo. Principles of Political Economy and Taxation. London: Dent, 1973. 10-11.
8   Balaam and Dillman. Introduction to International Political Economy.
9   Paul Krugman. "The Narrow and Broad Arguments for Free Trade." The American Economic Review 83.2 (1993).
10   Commanding Heights: The Battle for the World Economy. Daniel Yergin and Joseph Stanislaw. WGBH Boston Video, 2002. DVD.
11   Anthony Giddens and Will Hutton. Global Capitalism. The New Press, 2001. 18.

such as former U.S. president Franklin D. Roosevelt and current president Barack Obama to encourage government spending and investment during times of market decline to prevent market failure and avoid Communist-corrections that disregard individual liberties and freedoms.[12]

Keynesian ideology was accepted as the necessary process to international stability through a development of economics and foreign policy, for connecting politics and economics internationally was thought to bring peace and avoid another costly world war.[13] The Keynesian Compromise, at it became known, called for the management of the international economy through peaceful cooperation of states based on entrenched Western values. This compromise called for a gradual reduction of protectionist domestic economic policies in order to promote a strong international market providing steady and equitable economic growth.[14] To Keynes, economic growth allows domestic governments to play a more active role in the domestic economy through health and anti-poverty efforts, among others. Keynes represented a positive view of the state within the international and domestic economy, however by the 1980s the international market had swung back to appreciate the classical laissez-faire approach due to the desire to achieve international economic prosperity and avoid the trend of inward-looking policies and resistance to EL.[15]

Following the Second World War, the United States covered the expenses of maintaining the global monetary system and global order, but the benefits of free trade led to a gradual shift in wealth and power away from the U.S. and toward democratic participants in the international economy.[16] The Keynesian policies championed under the Bretton-Woods system were questioned in the 1970s during the Vietnam War and the OPEC oil crisis, due to the fact that domestic political actions change the playing field for economics especially in times of costly international conflict.[17] Maintaining the expenses became financially unsustainable for the U.S. and a resurgence of classical liberalism emerged as neo-liberalism. Under scholars Milton Friedman and Friedrich Hayek, neo-liberalism understood realist and mercantilist tendencies of protectionism and government involvement in

12   Balaam and Dillman. Introduction to International Political Economy. 2011.

13   Daniel Griswold. "Free-Trade Agreements - Steppingstones to a More Open World." CATO Institute: Trade Briefing Paper 18 (2003). Web. 5 Feb. 2011.

14   Anthony Giddens and Will Hutton. Global Capitalism. The New Press, 2001.

15   Thomas Friedman. The Lexus and the Olive Tree. New York: Anchor, 2000.

16   William Cooper. Free Trade Agreements: Impact on U.S. Trade and Implications for U.S. Trade Policy. CRS Rep. no. RL41534. 2011.

17   Thomas Christensen. "Shaping the Choices of a Rising China: Recent Lessons for the Obama Administration." The Washington Quarterly 32:3 (2009). Web. 5 Feb. 2011.

markets as a threat to individual freedom and economic growth. Learning from lessons of the Great Depression and the Second World War, scholars argued that protectionist policies were impoverishing, for those who pay the price of tariffs are individuals as consumers, producers, and owners of private enterprises.[18] U.S. President Ronald Reagan and British Prime Minister Margaret Thatcher began promoting globalization under unfettered markets, privatization of governmental enterprises, deregulation, and a roll-back of welfare programs – also known as the Washington Consensus.

The Washington Consensus, as theorized by economist John Williamson, is the promotion of Western principles under globalization and an integrated global economy. Williamson argues that the benefits of the Washington Consensus and an integrated global economy – efficient global economic growth, human prosperity, and the spread of democracy – allows for technologies to spread faster, generates wealth and therefore employment, and improves communication and understanding among countries and cultures.[19]According to ELs, the intentions of the Washington Consensus and globalization are to benefit the millions trapped in poverty, promote peace amongst countries, and encourage the free movement of capital and goods under free trade and free trade agreements.[20]

The global economic recovery of the 1990s was attributed to the consent of the international community to deregulate, privatize and transform towards free market economies.[21] Economic liberals believe that the initial successes felt by free markets brought the collapse of Communism and encouraged many South East Asian and Latin American nations to open their markets to free trade.[22] The triumph of liberal ideologies was noted as the end of history by scholar Francis Fukuyama and a time of optimism for liberals who were victorious over Fascism and Communism. The domestic response from the United States led to the ratification of several free trade agreements such as the North American Free Trade Agreement (NAFTA) under President Bill Clinton. Internationally, the World Trade Organization and the European Union were established and several nations including India, China and even Russia adopted free market reforms.[23]

18 Gerald O'Driscoll and Sara Cooper. "International Trade and Global Stability," Economic Affairs, vol. 25, no. 2 (June 2005), pp. 37-43.
19 Niall Ferguson. Civilization: The West and the Rest. New York: Penguin, 2011.
20 Leslie Sklair. Globalization: Capitalism and Its Alternatives. Oxford University Press, 2002. 58-59.
21 Francis Fukuyama. The End of History? Washington, DC: National Interest, 1989.
22 Daniel Griswold. "A U.S.-Colombia Free Trade Agreement: Strengthening Democracy and Progress in Latin America." CATO Institute: Free Trade Bulletin 32 (2008).
23 Michael Spence. The Next Convergence: The Future of Economic Growth in a Multi-Speed

Prior to NAFTA in the U.S., free trade agreements were meant to expand U.S. exports and increase the number of consumers of U.S. products internationally. However, NAFTA presented a new opportunity for tree trade: to significantly reduce the costs of U.S. consumer goods by outsourcing the labor market.[24] This led to the undercutting of the U.S. economy and the transformation from a manufacturing economy to a service industry.[25] However, as economist and statistician Milton Friedman argues, total or global employment will not likely be effected by free trade, for employment reduced in some industries will create jobs in other industries.[26] In the U.S., this led to increased imports and lowered consumer prices, which in turn replaced lower-paying manufacturing jobs with higher-paying jobs within the service industry and high-tech manufacturing. Friedman argued that the best way for developing countries to counter this trend is to produce based on comparative advantage and to be flexible to the inevitable changes under trade liberalization.[27]

By the mid-90s and into the 21st century, the unintended consequences or the risks of neo-liberal economic ideology and globalization were realized. A damaged environment, increasing inequality between rich and poor nations, and human and worker rights violations matched with major recessions in Russia, Mexico and South East Asia crippled the influence of the free market.[28] Several theorists including Joseph Stiglitz and Michael Spence believe that the pace of integration of free market policies was too rapid and that collective goods issues were ignored for short-term gains and remarkably fast growth.[29] Also, barriers within international economic institutions such as the IMF made the benefits of globalization hard to realize for the developing world, which prevented the most vulnerable nations from overcoming their debt and achieving economic growth.[30] Some theorists such as economist David Colander suggest free trade and glo-

World. Crawley, W.A.: UWA, 2011. 100-103.

24 Alan Tonelson. The Race to the Bottom: Why a Worldwide Worker Surplus and Uncontrolled Free Trade Are Sinking American Living Standards. Boulder, CO: Westview, 2002.

25 Tonelson, Ibid.

26 Friedman, Milton. "Free Trade: Producer vs. Consumer." Kansas State University, Kansas. Lecture, 1980.

27 Fareed Zakaria. The Post-American World: Release 2.0. New York: W. W. Norton, 2011.

28 Thomas Friedman. Hot, Flat, and Crowded: Why We Need a Green Revolution, and How It Can Renew America. New York: Farrar, Straus and Giroux, 2008.

29 Michael Spence. The Next Convergence: The Future of Economic Growth in a Multi-Speed World. Crawley, W.A.: UWA, 2011.
   Ikenberry, John. "America's Imperial Ambition." Foreign Affairs 81.5 (2002).

30 Joseph Stiglitz. "The Overselling of Globalization," Globalization: What's New, edited by Michael M. Weinstein, Columbia University Press (2005).

balization have also undermined the prosperity of developed or modern countries. Following the law of one price, as technology and capital spreads, wages and prices become more equalized in the long run. The consequences for developed nations such as the United States include the loss of comparative advantage, decrease in employment, and stagnant economic growth.[31]

However, many scholars believe the risks of free trade are manageable under a resurgence of Keynesian ideology. Keynes argued that markets are prone to failure and experience disequilibrium that must be managed to avoid global consequences and ensure equitable development. The reemergence of Keynesianism felt after the Global Financial Crisis of 2007/2008 confirmed the notions that laissez-faire neo-liberalism was flawed and not self-regulating.[32] Journalist and theorist Thomas Friedman criticized the unsustainable environmental and cultural degradation of free trade, but believes that the technological advances spread globally within free trade can overcome the risks.[33] Economists such as Paul Collier agree with Friedman, arguing that the unprecedented opportunities especially in regions such as South East Asia and India have brought millions out of poverty and into the "new middle class", and can continue this trend under selective government management of markets and long-term commitments to economic liberal principles and free trade.[34] With incentives and flexible governmental management, domestic governments can encourage innovation especially in areas of environmental concerns, information and technology, and poverty reduction of the world's bottom billion.[35]

As professor and economist Jagdish Bhagwati explains, free trade is part of a package of liberal reform policies which has lifted the rate of economic growth globally and provided economic development. Economic development is typically measured through a nation's gross domestic product (GDP) and is defined as the "use of land, labor and capital to produce higher standards of living and more equitable distribution of national income."[36] Trade increases national income and aggregate welfare, and a growing economy pulls people out of poverty by gen-

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31 David Colander. "The Long Run Consequences of Outsourcing." Challenge 48.1 (2005).
32 Abraham F. Lowenthal, Theodore J. Piccone, and Laurence Whitehead. Shifting the Balance: Obama and the Americas. Washington, D.C.: Brookings Institution, 2011. 43-54.
33 Friedman, Ibid.
34 Paul Collier. The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It. New York: Oxford UP, 2007.
35 Collier, Ibid.
36 Sharon Spray and Laura Roselle. Research and Writing in International Relations. Boston: Pearson Longman, 2012. 40.

erating revenue and increasing employment.[37] This growth enables state governments to provide their citizens with social welfare programs to address social objectives and citizen's issues. Indeed, free trade works most efficiently when accompanied by important liberalization efforts in non-trade policy areas as well. Selective government interventions, such as selective subsidies, are important and necessary to some nations and at certain stages of growth and development.[38] Therefore, domestic policy reforms aimed at curtailing unsustainable monetary policies, reducing government corruption, and improving the education and legal systems should be further explored in international political economics.[39] In the early 1970s, nearly 38% of the global population lived below the world's poverty line, defined as living under $1 per day – by 2000, the percentage was 19% of the world.[40] Beyond increasing global wealth, Bhagwati argues that free trade and globalization increase contact and integration of cultures. This interaction phenomenon dissolves stereotypes and increases understanding, which promotes peace and trade internationally.[41]

Historian Johan Norberg continues on Bhagwati's points by arguing that trade is not exploitative in nature, and that the poor are the ones who most benefit from increased trade. Norberg understands free trade as offering the stepping stones out of poverty by providing employment to billions who would otherwise be unemployed, work for less, or be employed by informal markets that do not provide revenue to domestic economies.[42] In regards to global working conditions and inequality, Norberg explains that working conditions for the poor have historically been less, and therefore free trade and liberal economic principles are not exclusively to blame. In fact, free trade is improving global working conditions and reducing child labor instances, for the world has noticed a decrease in child labor, increase in primary education services and enrollment, higher working wages for parents, and the employment and empowerment of women.[43] For example, Vietnam experienced a decrease of approximately 2.2 million child laborers

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37 David Dollar and Aart Kraay. "Trade, Growth, and Poverty." Development Research Group, The World Bank. (2002).

38 Robert Baldwin. "Openness and Growth: What's the Empirical Relationship?" National Bureau of Economic Research. Working Paper No. 9578. (March, 2003).

39 Baldwin, Ibid.

40 Lee, Lee, and Sohn. "The United States - Korea Free Trade Agreement" Zakaria. The Post-American World: Release 2.0.

41 Jagdish Bhagwati and T. N. Srinivasan. "Trade and Poverty in the Poor Countries." The American Economic Review 92.2 (2002).

42 Johan Norberg. In Defense of Global Capitalism. Washington, DC: CATO Institute, 2003.

43 Bhagwati and Srinivasan. "Trade and Poverty in the Poor Countries."

in a ten year period after adopting EL principles.[44] Globalization is bringing these realities to industrialized nations as well, which is increasing the conversation and recognition of global working conditions in both developed and developing nations. Also, the empowerment of women in the workforce due to free trade has provided opportunity to work as well as providing independence from husbands and/or families, which increases the human prosperity and independence of women and subsequently children globally.[45]

French scholar Guy Sorman agrees with Norberg's theories in favor of globalization and free trade. From an economic standpoint, globalization gives countries more markets to export to, more sources of funds and investment, and increased access to technology.[46]As of 2008, over 800 million people or approximately 1/7th of the total global population have been lifted out of poverty due to the benefits of free trade. This convergence is pulling nations out of poverty, increasing the size of the middle class globally, allowing the world to become more equalized, and aiding a global civilizational change and the transformation to a "global village" in the long run.[47]

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Analysis and Conclusion

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The economic interactions between states at the international level are complicated to manage. Under the principles of economic liberalism, free trade has created and promoted international cooperation and global peace; economic, political and social growth; and increased economic efficiency globally. In consideration of development, free trade should be promoted over mercantilist measures, for the consequences of not participating in the global economic order are costly. Although economic liberalism is certainly not perfect, the risks of the global promotion of these principles have proven to be manageable over time when the agenda has valued the equitable spread of technology, democratization, price and wage equalization, international stability, and cultural acceptance.

Gains through free trade are mutual and have been significant, and therefore flexibility and patience is needed, for development is a process. Though the

44 Eric Edmonds and Nina Pavcnik. "Child Labor in the Global Economy." Journal of Economic Perspectives 19.1 (2005): 199-220.

45 Geoffrey Bannister. "International Trade and Poverty Alleviation." IMF Working Paper No. 01/54 (2001).

46 Guy Sorman. "Globalization Is Making the World a Better Place." 2008 Index of Economic Freedom. The Heritage Foundation (2008).

47 Spence. The Next Convergence: The Future of Economic Growth in a Multi-Speed World.

risks of EL are manageable, reforms are needed that consider the domestic realities of sovereign nations – especially the sovereignty of less-developed nations to discourage exploitation in trade. Following the theories of economists such as Dani Rodrik and John Maynard Keynes, we can incorporate flexibility within free trade to consider the domestic realities of sovereign nations without favoring protectionist measures. This can be accomplished by designing or reforming global institutions such as the IMF, World Trade Organization, and the World Bank, while using their rules to incorporate new and maintain existing escape clauses and opt-outs, to ensure that all countries can benefit from globalization and free trade.[48]

Trade liberalization stimulates economic growth through the equitable expansion of markets and opportunities on an international level. Globally, this leads to increased employment and household incomes and therefore economic, social and political growth. Because trade is based on mutual gains, I conclude that you cannot create wealth by blocking trade. Through free trade, the world is rapidly becoming more equalized especially for the global middle class and emerging or developing markets. Economically, the great divergence has brilliantly evolved into the great convergence, and global cooperation is insuring this stability through the specialization of the cultural exchange and technological advances. Through events like the rise of South Korea and more recently the Arab Spring, we can predict that the social wave of change favors democratization, the rule of law and justice, and economic ideologies that promote peace and equality. These stable international norms and opportunities for cultural enrichments prove promising for mutual economic growth through the free trade paradigm, which is the heart of globalization.

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48   Balaam and Dillman. Introduction to International Political Economy. (2011).

Bibliography

Balaam, David and Bradford Dillman. Introduction to International Political Economy. Boston: Longman, 2011.

Baldwin, Robert. "Openness and Growth: What's the Empirical Relationship?" National Bureau of Economic Research. Working Paper No. 9578. (March, 2003).

Bannister, Geoffrey. "International Trade and Poverty Alleviation." IMF Working Paper No. 01/54 (2001).

Bhagwati, Jagdish and T. N. Srinivasan. "Trade and Poverty in the Poor Countries." The American Economic Review 92.2 (2002).

Burchill, Scott. "Liberalism." Theories of International Relations. (2009). 64-70.

Christensen, Thomas. "Shaping the Choices of a Rising China: Recent Lessons for the Obama Administration." The Washington Quarterly 32:3 (2009). Web. 5 Feb. 2011.

Colander, David. "The Long Run Consequences of Outsourcing." Challenge 48.1 (2005).

Collier, Paul. The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It. New York: Oxford UP, 2007.

Commanding Heights: The Battle for the World Economy. Daniel Yergin and Joseph Stanislaw. WGBH Boston Video, 2002. DVD.

Cooper, William. Free Trade Agreements: Impact on U.S. Trade and Implications for U.S. Trade Policy. CRS Rep. no. RL41534. 2011.

Dollar, David and Aart Kraay. "Trade, Growth, and Poverty." Development Research Group, The World Bank. (2002).

Doyle, Michael. Ways of War and Peace: Realism, Liberalism, and Socialism. New York: W.W. Norton, 1997.

Edmonds, Eric and Nina Pavcnik. "Child Labor in the Global Economy." Journal of Economic Perspectives 19.1 (2005): 199-220.

Ferguson, Niall. Civilization: The West and the Rest. New York: Penguin, 2011.

Friedman, Milton. "Free Trade: Producer vs. Consumer." Kansas State University, Kansas. Lecture, 1980.

Friedman, Thomas. Hot, Flat, and Crowded: Why We Need a Green Revolution, and How It Can Renew America. New York: Farrar, Straus and Giroux, 2008.

Friedman, Thomas. The Lexus and the Olive Tree. New York: Anchor, 2000.

Fukuyama, Francis. The End of History? Washington, DC: National Interest, 1989.

Giddens, Anthony and Will Hutton. Global Capitalism. The New Press, 2001. 18.

Griswold, Daniel. "A U.S.-Colombia Free Trade Agreement: Strengthening Democracy and Progress in Latin America." CATO Institute: Free Trade Bulletin 32 (2008).

Griswold, Daniel. "Free-Trade Agreements - Steppingstones to a More Open World." CATO Institute: Trade Briefing Paper 18 (2003). Web. 5 Feb. 2011.

Ikenberry, John. "America's Imperial Ambition." Foreign Affairs 81.5 (2002).

Krugman, Paul. "The Narrow and Broad Arguments for Free Trade." The American Economic Review 83.2 (1993).

Lee, Yong-Shik, Jaemin Lee, and Kyung Han Sohn. "The United States-Korea Free Trade Agreement: Path to Common Economic Prosperity or False Promise?" Ease Asia Law Review 41.5 (Spring, 2011). Web. 5 Feb. 2012

Lowenthal, Abraham F., Theodore J. Piccone, and Laurence Whitehead. Shifting the Balance: Obama and the Americas. Washington, D.C.: Brookings Institution, 2011. 43-54.

Norberg, Johan. In Defense of Global Capitalism. Washington, DC: CATO Institute, 2003.

O'Driscoll, Gerald O'Driscoll and Sara Cooper. "International Trade and Global Stability," Economic Affairs, vol. 25, no. 2 (June 2005), pp. 37-43.

Ricardo, David. Principles of Political Economy and Taxation. London: Dent, 1973. 10-11.

Sen, Amartya. "How to Judge Globalism." The American Prospect, 13, 1. (2002).

Sklair, Leslie. Globalization: Capitalism and Its Alternatives. Oxford University Press, 2002. 58-59.

Smith, Adam. An Inquiry into the Nature and Causes of the Wealth of Nations. Indianapolis, IN: Liberty, 1981. 400-410.

Sorman, Guy. "Globalization Is Making the World a Better Place." 2008 Index of Economic Freedom. The Heritage Foundation (2008).

Spence, Michael. The Next Convergence: The Future of Economic Growth in a Multi-Speed World. Crawley, W.A.: UWA, 2011. 100-103.

Spray, Sharon and Laura Roselle. Research and Writing in International Relations. Boston: Pearson Longman, 2012. 40.

Stiglitz, Joseph. "The Overselling of Globalization," Globalization: What's New, edited by Michael M. Weinstein, Columbia University Press (2005).

Tonelson, Alan. The Race to the Bottom: Why a Worldwide Worker Surplus and Uncontrolled Free Trade Are Sinking American Living Standards. Boulder, CO: Westview, 2002.

Zakaria, Fareed. The Post-American World: Release 2.0. New York: W. W. Norton, 2011.

ABSTRACT » *A new wave of left-leaning leaders with a tough agenda against neoliberalism and the Washington Consensus has emerged in Latin America in recent decades. Increased income inequality, poor social development and stagnant economic growth have led to a counter movement against ubiquitous market governance. This paper seeks to answer the question: How have the new left of Latin America attempted to transcend neoliberal imperialism? The contending perspectives of neoliberalism and post-neoliberalism are analyzed and compared. Through these ideologies, Venezuela's ALBA initiative and Bolivia's National Development Plan are studied. We conclude that within the ideological warfare taking place in Latin America, there are movements that seek to replace neoliberalism and those that seek to calm the forces of globalization through a mixed-model approach. These movements are largely based on the individuals that lead each country and thus the future of them remains pertinent and worthy of study.*

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"There is no alternative":
Moving beyond Neoliberalism in Latin America

» by Frank Polizzi

Introduction:

Neoliberal economic governance has seen its fair share of criticism since its inception. Historically, the leftist and socialist leaders of Latin America were often the loudest voices criticizing this system; a polemic actuality given their vicinity to the United States, the architect and proprietor of neoliberalism. A reemergence of 'new' leftist leaders have taken place in Latin America in recent decades as a response to the globalization of neoliberal governance. With their dissidence clearly stated, this paper seeks to answer: How have these new left leaning leaders attempted to transcend neoliberal imperialism?

Latin America has continuously searched for a model of development that will foster economic and social justice as well as equality, while simultaneously harnessing the region's great potential in the international arena. Stagnant economic growth and gross disparities in wealth distribution have plagued Latin America since its inception. Post World War II, Import Substitution Industrialization (ISI) was a generally failed attempt at economic growth in the developing world. ISI policies focused on domestic economic development by encouraging protectionist policies to generate an internal manufacturing base for under-developed nations. However, this system was exhausted and any growth exacerbated existing inequalities of wealth.[1] Afterward, the Cold War context and growing socialist influ-

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1 Albert O Hirshman. The political economy of import-substituting industrialization in latin america. The Quarterley Journal of Economics, 82(1),

ence in Latin America would result in a series of overthrown 'Marxist' leaders and US-backed military dictatorships. This ushered in the era of the Washington Consensus, the US's ten-point economic policy prescription for highly indebted developing countries. These policies largely focused on market fundamentalism and neoliberalism; tearing down protectionist barriers and opening states to the free global market while structural adjustment programs (run by international financial institutions (IFIs) such as the World Bank and International Monetary Fund (IMF) dealt with debt relief and privatization of government run programs (mainly energy, a pivotal export for many Latin American nations).

While neoliberalism proved 'successful', in terms of macroeconomic growth in the mid to late 20th century, in countries such as Chile, despite having one of the highest income inequality rates in the world, and Brazil; it also fostered hatred and resentment in those with lingering socialist aspirations and the scars of revolutions stalled by the CIA.[2] However, a turn in the economic tide has begun since the late 1990s and early 2000s; Latin American nations have elected leftist leaders running on platforms structured by economic alternatives to neoliberalism and its focus on ubiquitous market governance. Memories of failed attempts at land re-distribution, social reform and socialist development haunt the minds of the 'new' leftist leaders of Latin America. Subsequently, Presidents such as Hugo Chavez in Venezuela, Rafael Correa of Ecuador, Evo Morales of Bolivia and Cristina Fernández de Kirchner of Argentina are seeking to bring popular and indigenous peoples interests to the forefront by challenging US hegemony in order to combat the neoliberal system and create genuine economic and social development. These leader's policies range from clear alternatives to neoliberal governance to modifications of the current system, known as post-neoliberalism, which "should be considered a complement to neoliberalism rather than a substitute for it".[3]

A region jaded by the hopes of failed economic policies of IFIs and continuously stagnant economic growth, Latin America has shown an eagerness to usher in new reform. Scholars like Kaltwasser argue that society is entering a new historical period, as made evident by the rise of 'new global powers' and the "decline of United States' historic hegemony in the southern part of the hemisphere".[4] It

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2   OECD. (2012) Income distribution inequality

3   Cristobal R Kaltwasser (2011). Toward post-neoliberalism in latin america? Latin American Review, 46(2), pp. 230

4   Ibid, pp. 230.

is important to keep in mind that Marxist reform of the neoliberal order is a fairly outdated ideology in the current Latin American elite. In fact, the new left:

> do[es] not represent a revolutionary attack on market-led development. They rather signify an attempt to ameliorate or modify market dependence and limit the worst forms of poverty left behind by neoliberal restructuring. Only in Venezuela has there emerged a proposal to create an alternative economic system; and, even here, the Bolivarian post-crisis alternative emerged by default, rather than as a result of ideology.[5]

The alternative economic system in Venezuela mentioned above is the Bolivarian Alliance for the Americas (ALBA), which will be discussed in further detail later in this paper. Therefore, the new left is seeking alternatives now that the "golden age of neoliberalism is over," and the movement that started with the election of Chavez in 1998 can now begin to gain serious ground.[6]

Proceeding from here, this paper will demonstrate how the new left of Latin America is moving beyond neoliberalism and the Washington Consensus. We review the literature concerning post-neoliberalism and neoliberalism to orient the reader. Case studies of Venezuela's ALBA initiative and the Bolivian National Development Plan (NDP) will be utilized to illustrate how the theoretical framework is actually being applied. Finally, conclusions will be drawn to better hypothesize about probable future outcomes, and tie these cases to broader paradigms.

Literature Review: "Post-Neoliberalism"

Neoliberalism has been defined by some as an economic system that produces social and economic inequality and exacerbates the destructive repercussions of capitalism on a global scale.[7] However, it goes without saying, in the economically-interdependent world in which we live, that not participating in the global economy would be a recipe for economic crisis. This notion has produced a surge of new policy directions by Latin American leaders, such as Chavez and Morales, to find alternatives to neoliberal governance. This has subsequently resulted in an emergence of new scholarship that seeks to identify and explain this phenomenon. A consequent contention in the literature has arisen amongst

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5   Jean Grugel & Riggirozzi, P. (2009). Governance after neoliberalism in latin america. New York: Palgrave Macmillan, pp. 230.

6   Emir Sader. (2009). Postneoliberalism in latin america. Development Dialouge, 51

7   Laura Macdonald & Ruckert, A. (2009). Post-neoliberalism in the americas. UK: Palgrave Macmillan

the opposing ideologies of neo-Marxism and neoliberalism as the favored models of economic development.

Marxist scholarship has evolved since Marx first wrote in the 1800s. The global economy and structure is very different from that of his time, and scholars have had to adapt to stay effective and relevant. The evolution of this scholarship has resulted in post-neoliberalism, a new paradigm that roots itself in the traditional Marxist ideologies of Latin America while bringing it into a modern and realistic context. Post-neoliberalism is different than traditional Marxism in that it, "is characterized mainly by a search for progressive policy alternatives arising out of the many contradictions of neoliberalism."[8] This paradigm analyzes the policies of the new left leaders of Latin America and shows in what ways they are, and are not, transcending neoliberalism. Neo-Marxist and development theorists have harshly criticized the implementation of neoliberalism in Latin America, while post-neoliberalism seeks to explain how leaders, specifically Chavez and Morales, are combating the system.

Scholars examine the factors that have allowed the wave of leftist leaders to be elected; increasingly important factors in the surge of post-neoliberalism are social movements and the growing unpopularity of the Washington Consensus.[9] Social movements have given a voice to the people and allowed them to participate in democracy in a more direct way. Popular opposition to the lack of social programs, including health and education, and the absence of democratic representation (especially for indigenous communities) has manifested itself in mass protest. This has led leaders to, "seek a strategy in which economic concerns are subordinate to social concerns, breaking the hegemony of financial capital and market mechanisms".[10] Additionally, policies are seeking to revive the role of the state, challenge free market economics and funnel wealth to the masses. As the Washington Consensus drew to a close and widespread critique of neoliberal policies continued, a vacuum formed for the election of new leaders, thus birthing the new left ideology.

Panizza analyzes how the implementation of the Washington Consensus as the cornerstone of US foreign policy has led to the recent emergence of the new

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8   Ibid, pp. 6
9   Eduardo Silva (2009). Challenging neoliberalism in latin america. New York: Cambridge University Press. Francisco Panizza (2009). Contemporary latin america: Development and democracy beyond the washington consensus. London: Zed Books.
10 Sader, 2009, p. 177

left ideology.[11]   This is because the tangible manifestations of the Washington Consensus were growth of inequality and a subsequent rise in popular dissent. The mid 1990s and early 2000s represented a period in which the people were ready to take a less malleable stance against global neoliberal governance. The election of Hugo Chavez, the most outspoken opponent to neoliberalism, in 1998, paved the way for other left of center leaders and governments to take power.

Karl Polanyi's Great Transformation is commonly cited by post-neoliberal authors like Panizza, Silva and MacDonald. This theory proposes that:

> Market society [can] not be the foundation for a stable and just social order. It [creates] social tensions that inevitably led individuals and society to seek protection from the market's destructive power because market society sought to reduce humans to one dimension: that of commodities.[12]

Through this lens, it is clear why Latin America is seeking alternatives to market fundamentalism, especially since this region has become, "the weakest link in the world's neoliberal chain".[13]   However, Macdonald and Ruckert illustrate that Latin America's turn to the left may only be a phase, according to the "Polanyian double movement". This criticism argues that when the market is allowed to run freely, it inevitably causes "socially intolerable outcomes" in which restrictions and reform are put in place. "This counter-movement continues until a successful case is made for the efficiencies of unfettered markets processes, at which point market liberalization reoccurs and the whole process begins again".[14]

The general consensus within the literature is that Latin America has experienced a drastic turn to the left, and that free market economics have produced social and economic marginalization, which naturally leads to demand for this sort of leftist reform. Silva hypothesizes that successful anti-neoliberal agendas are contingent on two factors; first, the development of associational power (creating new organizations), and second, "horizontal linkage between new and traditional movements and social classes".[15] This analytical approach explains why Venezuela, Bolivia and Ecuador have had some success in combating neoliberalism while Peru and Chile have not. Chile, being a highly unequal society, both economically and socially, does not experience the 'horizontal linkage' of social

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11   Panizza, 2009.
12   Panizza, 2009, pp.17
13   Sader, 2009.
14   Macdonald and Ruckert, 2009, pp.84
15   Silva, 2009, p.231

movements and classes. Venezuela, Bolivia and Ecuador have demonstrated a stronger association of a shared history (expressed through Chavez's Bolivarian Revolution) and large indigenous populations, which contribute to 'horizontal linkage' and popular consensus. Through the aforementioned post-neoliberal approach, this paper will explore what steps Latin American leaders have taken towards post-neoliberalism, specifically in the cases of Chavez's' ALBA initiative and Morales's MAS movement.

Literature Review: Neoliberalism

"There is no Alternative", declared former British Prime Minister Margaret Thatcher when she faced criticism for her all-pervading neoliberal reform in the 1980s.[16] Proponents of neoliberalism argue that it has allowed for new emerging economies to develop and modernize by participating in the liberalized global market. After the Cold War, the United States and European Union endorsed promotion of democracy and capitalist development as the mandatory means of political and economic organization. This led to what we now know as the neoliberal economic order. The International Monetary Fund (IMF), World Bank and the World Trade Organization (WTO) filled the void of ideological warfare, which ended with the collapse of communism. Trade and financial liberalization became institutionalized international norms. This resulted in commonly cited 'economic miracles' in East Asia, South Africa and Chile. The idea that "the road to development must be led by the West" has been and still is the leading ideology.[17] Furthermore, institutions were designed to unify the rational, economic self-interest of states, thus allowing for rational self-interested cooperation.

There exists a contentious debate amongst scholars who argue that the discourse of the left is just that, a discourse. Kingstone and Young claim that this supposed 'shift' has and will continue to fall short of alternative models.[18] This is because all the left has to offer is 'distributive/redistributive' policies (like that of oil wealth in Venezuela), which are 'putting a band-aid on bullet wound' solutions to social unrest and not authentic substitutions for neoliberalism.[19] They go

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16   Ronaldo Munck. (2003). Neoliberalism, necessitarianism and alternatives in latin america: There is no alternative (TINA)?. Third World Quarterly , 24(3),

17   Thomas Heron. (2008) Globalization, Neoliberalism and the Exercise of Human Agency. International Journal of Politics, Culture, and Society, Vol. 20, No. 1/4, (Sep., 2008)

18   Peter Kingstone & Young, J. (2009). Partisanship and policy choice, whats left for latin America? Political Research Quarterly, 62(1),

19   Ibid

as far as questioning whether or not partisanship actually matters in developing countries, given that globalization and liberalized capital mobility constrain state autonomy in formation of economic policy. If this were true, it would mean that leaders and their policies will never overcome the neoliberal economic order.

Latin America's turn to the left, whose legitimacy is even challenged since left of center leaders have historically been elected since the 1970s, would be more 'politics than policy'.[20] Kingstone and Young argue that the dominant literature on this issue paints two distinct pictures; one in which capital flight and other economic ailments force Latin American governments to enact and adhere to neoliberal policies (Frieden, 1990; Garret and Lange, 1991; Cohen, 1998; Strange 1996; and Santiso, 2005), and a second conflicting picture in which the international system allows alternatives to be sought because domestic policies outweigh the international economic order (Garret, 1998; Boix, 1998; Maxfield, 1998; Wibbles and Arce, 2003).[21] This calls into question the ability of Latin America's "young and often fragile democracies" to successfully challenge neoliberalism.[22] Stokes argues that the reality of the system means that candidates running on anti-neoliberal agendas will inevitably enact "neoliberalism by surprise", thus undermining democracy and representation.[23] This projected failure is assumed because 'there is no alternative' and ubiquitous market politics will continue to overshadow domestic alternatives.

Scholarship questioning Latin America's supposed turn to the left harshly criticizes the feasibility of this movement's ability to implement genuine reform. Susan Strange, pioneer of the study of international political economy, argues that the role of the state is constantly shrinking as the world becomes more globalized.[24] If state autonomy is constrained by the international system, in this case, the economic order, then party politics, domestic policies and system alternatives will continuously prove futile. Despite this criticism, this paper will argue that leftist leaders in Latin America have been able to seek alternatives to neoliberalism. These national leaders have combated not only the international order, but international norms in order to seek their own means of development.

20 Jorge G. Castañeda (2006). Latin america's left turn. Foreign Affairs, 85(3),
21 Kingstone & Young, 2009.
22 Ibid
23 Susan Stokes. 2001. Mandates and democracy: Neoliberalism by surprise in Latin America. Cambridge: Cambridge University Press

24 Susan Strange. 1996. The retreat of the State: The diffusion of power in the global economy. New York: Cambridge University Press.

Methodological Approach

In order to demonstrate how the new Latin American left is challenging neoliberalism, this paper will highlight Hugo Chavez's pioneering project ALBA and Evo Morales's National Development Plan (NDP).

ALBA is a transnational initiative whose goal is to create a substitute for transnational capitalism and market fundamentalism. Bartering, as an alternative to trade, eliminates currency and reevaluates values of goods and services on the international market. International exchange, predicated upon ideals of social prosperity as opposed to capitalist gain, is the revolutionary concept behind the ALBA movement.

Bolivia, on the other hand, is currently deeply integrating post-neoliberalism into its domestic and foreign policies. This is demonstrated in Morales's National Development Plan (NDP) under the Movement to Socialism Party (MAS), which has successfully regained state control of the previously free market oriented economy. Bolivia is becoming a mixed model in which central planning and market economics will be utilized to reduce poverty, social inequality improve workers' rights and indigenous representation.[25] Additionally, Bolivia is seeking to become the "energy center of the continent", which will positively affect domestic and regional economic development.[26]

The reformation of economic policies in South America through ALBA and the NDP are current phenomenon in Latin America that offers concrete examples of post-neoliberalism. They have been chosen based on two criteria: (1) correlation with the parameters of post-neoliberalism and, (2) the definition of the 'new left' which, for the purposes of this paper, will be defined as:

> The current of thought, politics, and policy that stresses social improvements over macroeconomic orthodoxy, egalitarian distribution of wealth over its creation, sovereignty over international cooperation, democracy (at least when in opposition, if not necessarily once in power) over governmental effectiveness.[27]

Additionally, they have been chosen over other countries with similar goals because the rhetoric and commitment to the cause has been more profound

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25 Clayton Filho, & Gonçalves, R. S. (2010). The national development plan as a political economic strategy in evo morales's bolivia accomplishments and limitations. Latin American Perspectives, 37(4),

26 Ibid

27 Castañeda, 2006, pg. 32

in Venezuela and Bolivia (versus Argentina, Ecuador or Nicaragua). This analysis will highlight concrete examples of discourse and policy within these two cases that correlate with these definitions in order to demonstrate how alternatives to neoliberalism have been taken.

Case Study I: Venezuela

Scholars argue that Latin America's 'war' on neoliberalism began on September 11th, 1973, the date of the assassination of Chile's democratically elected socialist leaning president Salvador Allende.[28] The following decades (sometimes referred as the 'lost decades'), would be marked by military dictatorships, neoliberal reform and great amounts of borrowing from the IMF and World Bank, which would later result in structural adjustment that caused, "extraordinary deterioration of living standards of people".[29] The resentment fostered in this era established the foundation for radical social actors with good public speaking skills and inspiring revolutionary ideas to gain popularity. Thus, Hugo Chavez gained the spotlight. Additionally, Venezuela's unequal living standards due to oil wealth and historically elite families made social revolution an attractive alternative.[30]

Chavez's regime has been met with great criticism, however his policies continually attempt to provide for and improve the condition of the general Venezuelan population.[31] His popularity has been further corroborated by his 2012 fourth re-election and civilly driven return to power after a coup in 2002.[32] His most recent offensive against neoliberalism, The Bolivarian Alliance for the Americas (ALBA) was introduced in 2004 as a counterattack to the US proposed Free Trade Area of the Americas (FTAA).[33] The agreement seeks to be a political, economic and social alternative to neoliberalism with the idea of fostering social prosperity, mutual economic aid and bartering. For example, Venezuela ships 96,000 barrels of oil a day to Cuba. In exchange, Cuba sent 20,000 doctors and teachers to Venezuela's most rural and needy regions.[34] More than combating neoliberalism, the very idea of currency and value is challenged with this multi-

28 Sonya Gupta. (2007). Review. Social Scientist, 35(5/6), 62-66

29 Ibid, pp. 64.

30 Ibid

31 Cristobal V Ramírez (2005). Venezuelas bolivarian revolution: Who are the chavist?. Latin American Perspectives, 32(3), 79-97.

32 Ibid

33 Al Attar, M., & Miller, R. (2010). Towards an emancipatory international law: The Bolivarian reconstruction. Third World Quarterly, 31(3), 347-363

34 Ibid

lateral economic union. As of 2012, member states include Antigua and Barbuda, Bolivia, Cuba, Dominica, Ecuador, Nicaragua, Saint Vincent and the Grenadines and Venezuela. The agreement seeks to integrate deeper by proposing the Sucre, already partially in virtual circulation, as a regional currency alternative to the US dollar.[35]

Further examples of ALBA integration reveal how it is emphasizing social development rather than gross trade volume. Venezuela is Bolivia's top buyer of soy (600,000 tons a year) and, under ALBA, has committed to import 200,000 more tons a year.[36] However, the unique aspect of this is that Venezuela has, "agreed to buy soy at a preferential price specifically from small producers (having less than 50 acres)" thus encouraging the growth of small farms over multinational corporations.[37] Additionally, Venezuela has guaranteed scholarships for 5,000 Bolivian students to specialize in the petro-chemical sector in order to foster social growth with mutual positive economic outcomes.[38] It is in these examples that post-neoliberalism is highlighted, how policy makers can restructure the system in order to achieve more desirable outcomes with shared economic and social gains.

ALBA represents a clear attack against neoliberalism and is a firm example of post-neoliberalism in Latin America. It is important to keep in mind the definitions of 'the left' and of post-neoliberalism that have previously been stated in this paper. According to these definitions, a complete abandonment of the neoliberal model is not what is taking place, instead, it is a reworking and restructuring of said model. The fact that 40.2% of Venezuela's total exports are to the US, does not automatically delegitimize its agenda.[39] This would not be the case if Venezuela were following a strict Marxist, 'Guevara-esc' revolution, in which market fundamentals must be replaced by strict state socialism. However, Chavez's 21st century socialist government accepts the reality of the globalized world, and thus seeks to focus on alternatives to neoliberalism and wealth distribution.

Although ALBA is a relatively new economic project, it is perhaps the region's most serious multilateral attempt at an alternative economic model. Further integration and new member states will surely usher in new and unique ways

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35 Ibid
36 Costoya, M. M. (2011). Politics of trade in post-neoliberal latin america: The case of bolivia. Journal of the Society for Latin American Studies, 30(1), 80-95
37 Costoya, 2011, pp. 83.
38 Ibid
39 CIA world factbook. (2012).

of combating neoliberalism whilst promoting regional social and economic development. In their analysis of 'Third World Approaches to International Law', al Attar and Miller depict ALBA as "a cohesive counter-vision of international law rooted in notions of complementarity and human solidarity".[40] As ALBA continues to grow, the success or failure of these principals will determine how deeply this initiative will become integrated, and what that will mean for nations outside of the region with shared interests.

Case Study II: Bolivia

With a history of military dictatorships, harsh repercussions of the neoliberal order, and a population mostly composed of indigenous peoples, Bolivia has embraced Latin America's post-neoliberal ideology and is often cited as an exemplary case.[41] President Evo Morale's National Development Plan (NDP) seeks to create a more egalitarian, pluralistic and participatory society with strong democratic principles, economic development and national sovereignty.[42]

The social objectives of the plan involve creating a greater role for Bolivia's often marginalized indigenous population (Morales himself being Bolivia's first ever indigenous head of state), shifting to a more participatory versus representative democracy, protecting the environment, granting greater access to credit and "reducing poverty and social inequality".[43] A bold move was made by Morales in 2007 to change the state's official name from "The Republic of Bolivia" to "The Plurinational State of Bolivia".[44] Plurinational can be defined as a title that seeks to officially recognize the diversity of Bolivia's majority indigenous population. Another mandate, which sought to bring solidarity to environmental protectionism and thus secure the livelihood of those who live off of the land, was the 2010 "Law of the Rights of Mother Earth".[45] This landmark legislation granted 'Mother Earth' the same rights as humans, by identifying people and nature as part of the same 'life system' and thus equals.[46] The legislation honors the importance of the land for all (however, emphasizing indigenous communities) by creating a legal

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40 al Attar & Miller, 2010, p. 347

41 Roger Merino (2012). What is 'post' in post-neoliberal political economy? Informally published manuscript, Department of Social and Policy Sciences, University of Bath, Bath, UK

42 Costoya, 2011.

43 Filho & Gonçalves, 2010

44 International Organization for Standardization (ISO). (2009, 05 08). Name change for plurinational state of bolivia

45 Ley corta de derechos de la madre tierra . (2011, 12 14).

46 Ibid

identity for Mother Earth and its protection, a drastic distinction from the environmental exploitation supported by capitalist development. These integrative strategies highlight the importance of social welfare in a post-neo-liberal regime.

Economically speaking, the Morales administration has ushered in 'the return of the state' and state management of pivotal sectors of the economy.[47] Bolivia has moved towards a mixed-model economy that participates in alternative models such as ALBA while benefiting from regional economic integration projects such as MERCOSUR and the Andean Community of Nations (CAN). By embracing this model, Bolivia, "combines ALBA's alter-globalization model with the market-oriented growth possibilities provided by these two trade areas [ALBA and CAN]".[48] Bolivia has played a unique role as it cautiously participates in both alternative and orthodox economic projects and maintains positive relations on both sides of the ideological spectrum.

Drawing from post-colonial discourse, the NDP seeks the, "decolonization of the state, a task that involves a push beyond the 'market fundamentalism' of neoliberal projects".[49] In particular, the NDP seeks to fight the dependency inducing export model of trade, tariff reduction and openness to Foreign Direct Investment (FDI), all of which have been essential to Bolivia's neoliberal policy prescription by the World Bank and IMF.[50] In terms of trade, this means that the NDP will call for the protection of certain domestic industries, a distancing from WTO fundamentals. Furthermore, a more strategic look at economic integration (that does not include the US or European Union) and the nationalization of key natural resources (oil, gas and carbon) are on the agenda.[51] The NDP has benefited from popular support and a MAS majority congress, despite opposition from a historical secessionist movement from regional governments largely dictated by rich landowners.[52] The Bolivian model is one that many Latin American (and developing countries abroad) could benefit from. While distancing itself from orthodox neoliberalism, it is not a completely extreme alternative that could result in souring of relations with hegemonic economic powers.

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47 Filho & Gonçalves, 2010
48 Costoya, 2011, p. 83
49 Ibid, pp. 81.
50 Ibid
51 Ibid
52 Ibid

Analysis

Based upon these cases, we can conclude that there exists viable alternatives to fundamental neoliberalism in Latin America. ALBA simultaneously combats the norms of the Washington Consensus while reinforcing its commitment to norms centered on general social progress. This is seen in bilateral bartering exchanges as an alternative to traditional trade and dedication to supporting small farmers. Additionally, by Venezuela fixing a preferential price when buying soy from Bolivia, free market forces are taken out of the equation and prove to no longer be a necessary instrument in promoting economic prosperity. ALBA seeks to transcend economic, political and social barriers, which is exemplified by Venezuela's pledge to Bolivian education through scholarships, resulting in mutual economic and social gains.

The NDP has created a unique role for the Bolivian state; by embracing a mixed model economy, a combination of central planning, market fundamentals and social emphasis, a modern and distinctive attempt at reform is represented. Furthermore, the NDP internalizes the post-neo-liberal assertion of prioritizing social progress over economic development. This is exemplified in the official discourse, both by President Morales and by the NDP itself. Additionally, environmental protection, indigenous inclusion and improved democracy highlight the importance of this aspect.

These two cases corroborate the agreement in post-neoliberal literature that Marxism is an outdated ideology. Rather than seeking a substitution to the system, which would be called for in a Marxist revolution, these policies embrace market economics, yet they still implement reform in order to achieve more desirable outcomes. Distancing from the Washington Consensus and emphasizing social policies over the creation of capital are what has characterized post-neoliberalism.

Conclusion

Post-neoliberal principals represent a regional alternative for other Latin American nations with similar complaints and desires. As further integration of ALBA continues, its affects will be evaluated by its neighbors who ultimately judge its effectiveness as an alternative option. If Bolivia's unique model is to

succeed, it could serve as a blueprint for economic and socially similar neighboring nations (Ecuador, Colombia, and Peru) or other states in the developing world.

Post-neoliberalism is a relatively new phenomenon, gaining momentum in the late 1990s. For this reason, it begs further research and observation, in order to see just how deeply norms established by these policies will integrate with the public mind and what role they will play. Assuming that US hegemony will not last forever, and as the balance of global power shifts, Latin America's ability to distance itself from Western influence and promote new normative alternatives will be put to the test. An interesting development to keep an eye on will be Venezuela's role as integration continues, especially given the recent passing of Hugo Chavez. Venezuela's leadership is still uncertain and thus the future of the Bolivarian Revolution remains as unknown. However, given that Chavez was so dissident of US hegemony impeding on Latin American sovereignty, it would be ironic if Venezuela (given its vast oil wealth, larger economy and history of corruption) became the regional hegemon. To conclude, commitment to social improvement, mutual economic development and post-neoliberal principals will determine Venezuela and Bolivia's roles in post-Washington Consensus Latin America.

Bibliography

Al Attar, M., & Miller, R. (2010). Towards an emancipatory international law: The Bolivarian reconstruction. Third World Quarterly, 31(3), 347-363. Retrieved from http://mohsenalattar.files.wordpress.com/2010/05/towards-an-emacipatory-international-law-the-bolivarian-reconstruction.pdf

Castañeda, J. G. (2006). Latin america's left turn. Foreign Affairs, 85(3), Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/20031965

CIA world factbook. (2012). Retrieved from https://www.cia.gov/library/publications/the-world-factbook/geos/ve.html

Costoya, M. M. (2011). Politics of trade in post-neoliberal latin america: The case of bolivia. Journal of the Society for Latin American Studies, 30(1), 80-95. Retrieved from http://0-web.ebscohost.com.opac.sfsu.edu/ehost/pdfviewer/pdfviewer?sid=0a22da24-3217-4323-ad3e-e9514e326345@sessionmgr104&vid=2&hid=108

Filho, C. M. C., & Gonçalves, R. S. (2010). The national development plan as a political economic strategy in evo morales's bolivia accomplishments and limitations. Latin American Perspectives, 37(4), Retrieved from http://lap.sagepub.com/content/37/4/177.abstract

Grugel, J., & Riggirozzi, P. (2009). Governance after neoliberalism in latin america. New York: Palgrave Macmillan.

Gupta, S. (2007). Review. Social Scientist, 35(5/6), 62-66. Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/27644219

Heron, T. (2008) Globalization, Neoliberalism and the Exercise of Human Agency

International Journal of Politics, Culture, and Society, Vol. 20, No. 1/4, The New Sociological Imagination III (Sep., 2008), pp. 85-101

Hirshman, A. O. (n.d.). The political economy of import-substituting industrialization in latin america. The Quarterley Journal of Economics, 82(1), Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/1882243

International Organization for Standardization (ISO). (2009, 05 08). Name change for plurinational state of bolivia. Retrieved from http://www.iso.org/iso/newsletter_vi-6_name_change_plurinational_state_of_bolivia.pdf

Kaltwasser , C. R. (2011). Toward post-neoliberalism in latin america?. Latin American Review, 46(2), Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/41261465

Kingstone, P., & Young, J. (2009). Partisanship and policy choice, whats left for latin America? Political Research Quarterly, 62(1), Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/27759843

Leiva, F. I. (2008). Toward a critique of latin american neostructuralism. Latin American Politics and Society, 50(4), Retrieved from http://0-www.jstor.org.opac.sfsu.edu/stable/30130893

Leiva, F. I. (2009). Latin american neostructuralism: The contradictions of post-neoliberal development. Minneapolis: Univeristy of Minnesota Press.

Ley corta de derechos de la madre tierra . (2011, 12 14). Retrieved from http://www.ftierra.org/ft/index.php?option=com_content&view=article&id=4288:rair&catid=152:cc&Itemid=210

Macdonald, L., & Ruckert, A. (2009). Post-neoliberalism in the americas. UK: Palgrave Macmillan.

Merino, R. (2012). What is 'post' in post-neoliberal political economy? . Informally published manuscript, Department of Social and Policy Sciences, University of Bath, Bath, UK. , Available from Social Science Research Network.

Munck, R. (2003). Neoliberalism, necessitarianism and alternatives in latin america: There is no alternative (TINA)?. Third World Quarterly , 24(3), Retrieved from http://www.jstor.org/stable/3993382

OECD. (2012) Income distribution inequality. Retrieved from http://stats.oecd.org/Index.aspx?QueryId=26067&Lang=en

Panizza, F. (2009). Contemporary latin america: Development and democracy beyond the washington consensus. London: Zed Books.

Ramírez, C. V. (2005). Venezuelas bolivarian revolution: Who are the chavist?. Latin American Perspectives, 32(3), 79-97. Retrieved from http://0-www. jstor.org.opac.sfsu.edu/stable/30040243

Stokes, Susan. 2001. Mandates and democracy: Neoliberalism by surprise in Latin America. Cambridge: Cambridge University Press

Strange, Susan. 1996. The retreat of the State: The diffusion of power in the global economy. New York: Cambridge University Press.

Sader, A. (2009). Postneoliberalism in latin america. Development Dialouge, 51, Retrieved from http://www.dhf.uu.se/pdffiler/DD2009_51_postneoliberal-ism/Development_Dialogue_51-art14.pdf

Silva, E. (2009). Challenging neoliberalism in latin america. New York: Cambridge University Press.

ABSTRACT » *This paper attempts to explain nuclear acquisition behavior in medium powers. It begins with a survey of security literature regarding deterrence, strategic conflict, and risk, as well as the non-security considerations of international prestige and nationalism. It applies these theories towards its cases of South Africa and Pakistan, evaluating their reasoning and actions through the lens of the literature. The paper concludes by asserting that both nations made rational choices regarding their nuclear arsenal, and provides a few policy recommendations for the US or other major powers regarding nuclear security and proliferation in similar situations.*

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Why Go Nuclear:
The Reasoning Behind The Bomb

» by Michael Z. Lopate

Introduction:

Contrary to popular belief, the citizens of the United States are arguably safer now than they have been in past generations. We have no major military rivals, and even in the middle of a financial crisis and with a military overstretched from two long wars, our ability to project power and protect interests is far-and-away the strongest in the world.[1] A key factor in that safety is deterrence: a central concept of US grand strategy over the past sixty years. However, the advent of global terrorism changes the calculus on who can be deterred and how. WMD (Weapons of Mass Destruction) terrorism, and in particular nuclear terrorism, is one of the possible threats the United States faces today, and one that we have not

developed the theoretical framework to deter directly. It is also functionally impossible to actively prevent every terrorist threat, putting the government in a catch-22: the inability to prevent every attack and the seeming inability to deter the most dangerous terrorists. How then can nuclear terrorism be prevented?

To date, no terrorist group has been able to produce a nuclear weapon; the technology and resources required are beyond the resources of a non-state actor.[2] Thus, if states decide not to produce weapons-grade material, either as Highly Enriched Uranium (HEU) or plutonium, it cannot be acquired by a terrorist. The key then is what makes states decide to go, and stay, nuclear.

1   SIPRI Military Expenditure Database, http://www.sipri.org/databases/milex/

2   Bunn, Matthew and Anthony Wier. 2006. Terrorist nuclear weapon construction: How difficult? Annals of the American Academy of Political and Social Science 607:133-49.

This paper will examine the literature of deterrence theory and nuclear production, to develop the argument that faced with a conventionally superior military; nations will go nuclear rather than risk the survival of the regime. I will apply that argument to two cases, one successful case of ending nuclear production, South Africa; and another unsuccessful, Pakistan. Comparing South Africa's decision to denuclearize and sign the NPT to Pakistan's reasoning of continued nuclear production, we can see the general requirements needed to comply with or defy NPT norms. By understanding the forces that push states to create and use a nuclear weapon, policy-makers can examine a situation and recognize if withdrawal from the NPT regime and nuclear production may occur, then attempt to change that outcome.

Literature Review

When a state feels threatened by an established enemy or a potential enemy, it has two security options: defense and deterrence. Each strategy will manifest itself in different ways, and the means will change depending on the nature of the threat. That nature will also determine the strategy chosen, some threats cannot be defended against, and others cannot be deterred, in between there is a sliding scale. Ballistic missiles are deeply in the deterrence category, it is extremely difficult to defend against a ballistic nuclear attack. [3] This inability to be defended against makes them the prime method of delivery for nuclear weapons. Even in the case of non-nuclear missiles, defense is not a viable strategy, and so in the name of deterrence the threatened state builds its own ballistic missile fleet.[4] As a state develops ballistic missile technology, its neighbors are likely to do the same. The probability of missile proliferation goes up dramatically as more and more nations in an area develop the technology and the need for deterrence becomes stronger.[5] They respond with missiles rather than other military options precisely because missiles are extremely hard to defend against: the only way to prevent them from being launched is to threaten to launch one's own.

There is no such thing as a defensive weapon: even a shield can be used as a way to attack with impunity, knowing there is no way to be counterattacked. A deterrence strategy, a buildup of weapons to ward off enemies, causes what it

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3   Daniel Barkley, 2008, "Ballistic Missile Proliferation : An Empirical Investigation"., Journal of Conflict Resolution 52, 455
4   Ibid.
5   Ibid.

known as the security dilemma: the tools one state uses to increase its security decreases the security of other states because it can use those tools to attack them.[6] However, if we remain solely in the realm of conventional warfare sometimes a state cannot be deterred because its enemies are unable to build up sufficient arms to threaten them. This is often the case with large vs. small states, the small state obviously has less manpower and fewer resources with which to fight a war, and thus cannot threaten the large state effectively enough to deter aggression. Nuclear weapons are a great equalizer in this case: even a few bombs have the potential for massive destruction; enough to destroy an entire enemy army, or city, in a single strike.[7] When faced with a truly superior conventional force, the nuclear option looks more and more attractive.

Any discussion of deterrence needs to start with Thomas C. Schelling's classic The Strategy of Conflict. Published in 1960, it puts forth and examines the idea that conflict can and should be examined through the lens of Game Theory, in particular, that conflict should be seen as a bargaining game, where people are trying to "win" not in the abstract, but relative to their own interests.[8] Schelling believes that most of the time groups have both shared and opposing interests, and instances of pure conflict are rare.[9]

The idea that actors can have interests that both align and clash is important for discussion of deterrence theory. At the most basic level, nearly all actors in a conflict have a shared interest in self-preservation. The sheer existence of an actor makes the status quo preferable to destruction; therefore threats of destruction can be effective tools for maintaining the status quo.[10] However, these threats have two requirements to be a true deterrent. The threats must be credible, meaning the aggressor party is capable and willing to carry them out, and the threatened party must be able to understand the threats and act rationally in considering them.

A credible threat is one the threatened party believes he will actually receive should he undertake the action in question. This is broken down in to two parts: the belief that the threatening party will undertake the action, and that they

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6   Keir A. Lieber (2011): Mission Impossible: Measuring the Offense-Defense Balance with Military Net Assessment, Security Studies, 20:3, 451-459

7   Kenneth N. Waltz 1990. Nuclear Myths and Political Realities. American Political Science Review 84, no. 3: 731-745.

8   Thomas Schelling, The Strategy of Conflict (Cambridge, MA: Harvard University Press, 1960),

9   Schelling 1960, 4

10   Schelling 1960, 33

will be able to actually hurt him.[11] It is difficult for a state to hide from a nuclear deterrent; if they fire their missiles they have what is known as a "return address," the physical location of the state the missiles were fired out of. The more exposed one is, the more likely it is that a threatened action can actually harm them. If State A makes it clear that it will respond with the deterrent threat, and State B feels the threat can be realized, in theory B should be deterred from action.

Nuclear weapons theorist Kenneth Waltz agrees with Schelling that the main purpose of nuclear weapons, in fact the only use for which they are suited, is deterring aggression.[12] Yet, Waltz had a different view on how deterrence worked, the opposite of Schelling in one respect. He believed deterrence depends not on what one will do, but what one can do.[13] This can have the same deterrent effect, but are strategically different. Schelling thought that signaling that one has an option to not undertake the threatened action reduced their strategic advantage in a bargain. Waltz's ideas about the deterrent effect revolve around the logic of what opponents can do, and a state's limited ability to stop them.[14] The end results of nuclear war are so clear that politicians are unwilling to take the steps necessary to bring the nation to the brink. Waltz asks even if it was willing to run the huge risk of its own destruction, what could it possibly hope to gain that makes that risk worth it?[15]

Waltz and Schelling agree nuclear deterrence works because however it is communicated, the rational actor examines costs and benefits of an action, and tends to do nothing because the costs can or will be unacceptably high. Waltz also said that past a certain point, additional weapons mean nothing as a deterrent.[16] A comparison between the forces of two rivals means nothing once they both have sufficient second-strike capabilities.[17] If an attacker cannot be sure that they can knock out all of the defender's response capabilities, whatever gains can be made by attacking will be lost in the return strike. Building additional protection past that point is meaningless; if a state is deterred from action as is, building further missiles will have no positive effect on their behavior. In a world of submarine, bomber, and missile-based nuclear weapons, it is next to impossible to destroy

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11   Schelling 1960, 6
12   Kenneth Waltz, "The Spread of Nuclear Weapons: More May Better," Adelphi Papers, 171
     (London: International Institute for Strategic Studies, 1981)
13   Waltz, 1990
14   Ibid.
15   Ibid.
16   Ibid.
17   Ibid.

them all before any can be launched in retaliation. In Waltz's view deterrence is therefore guaranteed.[18]

Comprehension and assumption of rational response are core concepts of deterrence. To have any effect, threats must be clearly communicated: if the threatened actor misunderstands the threat, it will not have the desired effect. Similarly, if their responses are irrational, they may not respond to a threat in a way that advances their interests (the definition of the rational actor). Schelling notes that acting rationally is not always the best choice strategically, irrational action can often give you an advantage when dealing with rational actors.[19] Deterrence, especially nuclear deterrence, depends on precisely this idea.

If the Soviet Union had launched their nuclear missiles at the United States, there is nothing that could have been done to stop them mid-flight. America would be devastated. Given this fact, why return fire? It would not help the state survive, the action would amount to killing millions of Russian citizens for no rational reason (US security interests are not advanced by destroying Soviet society if ours is destroyed in the process), thus making it an irrational, pointless gesture of revenge. However, the US holding a policy of Mutually Assured Destruction communicated that, in the event of a Russian launch, the US would fire back and damn the consequences. Creating an automatic response rather than one that can be rationally chosen at the time led to a strategic advantage.[20] The USSR could not depend on our rational action to prevent us returning fire. Notice that the act of limiting our rationality (thus acting irrationally) by creating an automatic response, known in the literature as a "trip wire", is decided upon rationally. The USSR had similar plans, of course, thus balancing out the game and creating strong mutual deterrence to ever attempt a first strike.

There are currently eight confirmed nuclear weapons states, and a non-confirmed-but-assumed ninth in Israel. Of the countries that do not have weapons, many that have the capability to build them are "restrained" by the non-proliferation treaty. Japan, Germany, and other first world nations have the ability to produce weapons quickly, but choose not to.[21] Scholars agree that these nations do not have the security concerns that push them to produce weapons, both because

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18 Ibid.

19 Schelling 1960, 18

20 Schelling, 1960, 19

21 John Large. Greenpeace International, "The Actual And Potential Development Of Nuclear Weapons Technology In The Area Of North East Asia." Last modified 5/2/2005.

of a lack of realistic security threats and the protection they receive from the US nuclear shield. Japan has at times considered building a weapon, but continues to decide against it. Countries tend to produce weapons only when they perceive major security threats.[22] India and Pakistan both produced weapons as a result of regional security threats, both from each other and from China. North Korea produced a weapon to defend itself from an American or South Korean attack. South Africa built weapons to allay security concerns as well, but actually gave them up when those concerns receded and to gain international acceptance by complying with the non-proliferation treaty.[23]

There are a few other theories that try to explain why a state would go nuclear. Of the nearly 200 sovereign states in the world, only nine have nuclear weapons. This is an extremely exclusive club, and a nation might consider the prestige and international consideration that comes with joining it worth the costs of going nuclear.[24] A related cause is a strong feeling of domestic nationalism, that possession of nuclear weapons are a symbol of national pride, like a flag or winning Olympic team.[25] Theorists who espouse this line of reasoning often discount rational cost/benefit analysis on the part of the state deciding to go nuclear, putting more focus on the psychological need of the leaders to feel powerful or secure, rather than actually gain power or security.[26] That nationalist feelings are present in some leaders is not in question, but as far as symbols of power go, nuclear weapons are a costly one to build and maintain. Aggressive nationalist behavior also leads a state into needing a more powerful military and deterrence ability, a consequence of the behavior rather than the underlying nationalist feelings. A corollary to this is the realization that sometimes the people themselves want to be armed, even if there is no pressing military reason to be so. This is because perceived threats and utility of weapons govern a population's desire of nuclear security, not the actual level of threat or utility.[27] This factor obviously matters

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22 Peter Liberman, 2001. "The Rise and Fall of the South African Bomb." International Security 26, no. 2: 45-86.

23 Liberman, 2001

24 Matthew Moran and Matthew Cottee. 2011. "Bound by History? Exploring Challenges to French Nuclear Disarmament".Defense & Security Analysis 27, 4: 341-357.

25 Karsten Frey. 2007. "The psychology of nuclear choice." Journal Of Genocide Research 9, 3: 369-387.

26 Jacques E. C. Hymans, 2008. "Assessing North Korean Nuclear Intentions and Capacities: A New Approach." Journal Of East Asian Studies 8, 2: 259-292.

27 Joseph T. Ripburger, Thomas M. Rabovsky, and Kerry G. Herron. 2011. "Public Opinion and Nuclear Zero: A Domestic Constraint on Ditching the Bomb." Politics & Policy 39, no. 6: 891-923.

more in democratic societies: the more authoritarian a state is, the less the people's voice matters in political decisions.

In the history of nuclear weapons, there are two major players: the United States and the Soviet Union (now Russia, still the second largest player in the nuclear arena by a large margin.) Most literature was written in a cold war context, exploring issues like how two superpowers deter one another, doctrines of massive retaliation, mutually assured destruction, etc. Less literature, at least theoretical literature, is written about the nuclear interactions of smaller powers. Logically, in today's world proliferation can only happens among small states. The world's major military powers already have nuclear weapons, the question is why and how non-great powers would seek to acquire nuclear technology. It is politics, or military necessity? A close examination of two medium sized powers, South Africa and Pakistan, can help answer those questions. Their actions fit into the Schelling and Waltz deterrence model, as their nuclear ambitions were a necessity of the military situation they found themselves in. South Africa is especially unique because they are the sole nation to rollback their nuclear program.[28] What were the specific factors in their decision-making, and how applicable are those factors to other states that may want to go nuclear?

Case Study: The South African Bomb

South Africa is the sole country to develop nuclear weapons technology and produce working weapons, only to give them up and accede to non-proliferation norms. It is worth mentioning that some former Soviet republics, Belarus, Ukraine, and Kazakhstan, also gave up their weapons after the breakup of the Soviet Union. However, their situation was entirely different than that of South Africa: they never embarked upon a nuclear program; the missiles were developed, built, and placed there by Moscow. They inherited weapons, instead of developing weapons themselves. Though their decision to give up their weapons is worth study, it is beyond the scope of this paper, which is solely concerned with states deciding for themselves to become nuclear powers.

South Africa's HEU is held in secure vaults and the technology to produce more of it has been destroyed or is being monitored by the International Atomic Energy Agency (the IAEA) of which South Africa is a member. South Africa is now no longer a nuclear threat to anyone: the state cannot use weapons it does not have, and any terrorist in search of nuclear weapons or materials with which to

28 http://www.nti.org/country-profiles/south-africa/nuclear/

build them would not find it available to buy even if someone were willing to sell it. What circumstances brought about South Africa's creation, and then dissolution, of a nuclear program?

South Africa has declassified strategy documents from the pre-nuclear program period, outlining the thinking that led them to developing a weapon. They were afraid of an unfriendly African regime armed with a nuclear weapon purchased from China, and later of a Soviet attack through Angola or Mozambique[29]. South Africa was an increasingly security-obsessed state[30] and saw the need for a nuclear deterrent to prevent aggression and regime change. The other possible use for weapons articulated by South African strategists was to blackmail the United States into interceding on South Africa's behalf by threatening to use their weapons[31], bringing about a nuclear crisis that threatened Cold War stability. These concerns revolve around the idea that nuclear weapons are needed to prevent an invasion by a foreign power. Whether through direct use or to force others to come to their defense, nuclear weapons were created by South Africa to defend themselves, or rather to deter aggression in the first place.

Meanwhile, South Africa was not a signatory on the Non-Proliferation Treaty, and along with international revulsion over the Apartheid regime, the government was becoming increasingly isolated.[32] Over the 20 year period South Africa did not sign the treaty, their relationship with the US slowly deteriorated. However, South Africa was still a pro-western country and firm US ally, and as such was not entirely ostracized by America for having an illiberal and racist regime, though their human rights abuses were mentioned time and time again.[33] As time passed and South Africa got closer and closer to a developing a weapon, America became alarmed about proliferation, but its intelligence agencies not believe South Africa was as close as it actually was to finishing the bomb. Eventually, South Africa broke from its western alliance to focus on land defense, to keep the regime in power. This, along with refusing US inspection of its possible testing facility and denying any nuclear capability furthered the embattled regime,

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29 Verne Harris et al. Unveiling South Africa's Nuclear Past, Journal of Southern African Studies, 30, 3, September 2004

30 Helen E. Purkitt and Stephen F. Burgess, Correspondence: South Africa's Nuclear Decisions, International Security, Vol. 27, No. 1 pp. 186 –194

31 Harris, 2004

32 J. W de Villiers, Roger Jardine, and Mitchell Reiss. 1993. "Why South Africa Gave Up the Bomb." Foreign Affairs 72, no. 5: 98-109.

33 Martha van Wyk, Ally or Critic? The United States' Response to South African Nuclear Development, 1949–1980Cold War History Vol. 7, No. 2, May 2007, pp. 195–225

dramatically increased the isolation of the embattled South African regime. Punishing the regime for pursuing its own security via nuclear power only made them more defiant.[34] In 1979 the Vela Incident, an explosion in the South Atlantic that appeared nuclear (but to this day has no completely determined cause) had to be kept a secret for that very reason. If it became known, other nations in Africa would push for massive sanctions on South Africa, and US failure to implement those sanctions (to keep relations with South Africa at a workable level) would disrupt its non-proliferation efforts in India and Pakistan[35].

Eventually, US policy makers were forced into serious sanctions against South Africa, along with the rest of the UN.[36] South African leaders soon realized that the costs of their nuclear weapons program were outweighing the benefits, and began to consider what they could gain from signing the NPT.[37] One of the most important considerations was what exactly was South Africa deterring? Military and political conflicts with their neighbors had not been stopped, but the country was not at risk of being invaded by a power worth revealing, or worse, using, a nuclear weapon.[38] They were deterring a threat that did not exist, and were doing so at a huge political cost. As their security situation improved in 1989, the regime simply did not see a reason to not reap the huge political gains from signing the NPT and giving up its weapons.[39] With the Cold War ending and sanctions hitting home, they decided to do just that, destroying their weapons, technology, and downgrading their nuclear material until it was useless for a bomb.[40]

What lessons can be drawn from South Africa's experience with nuclear weapons? It would seem that sanctions and military need are on different axis. No matter how intense the sanctions, if a state feels it needs a nuclear deterrent, they will hold on to it. Only when their security threat ended did they decide that paying the costs of sanctions were no longer worth holding on to the program. However, sanctions were effective in bringing a state into the current NPT regime, once it had no pressing reason NOT to do so. It is worth noticing that at no time was the South African regime worried about the security of their weapons. In fact,

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34 Ibid.

35 Ibid.

36 Martha van Wyk, Nuclear (Non)Proliferation Sunset over Atomic Apartheid: United States–South African nuclear relations, 1981–93, Cold War History, Vol. 10, No. 1, February 2010, 51–79

37 de Villiers, et al. 1993

38 J.I. Katz, 2008. "Lessons Learned from Nonproliferation Successes and Failures." Comparative Strategy 27, no. 5: 426-430.

39 van Wyk, 2010

40 Ibid.

the US security community could never definitively say that South Africa had a weapon, only that they had the ability to make one if desired.[41] They had no desire to share the technology with any other state with the possible exception of Israel, which likely already had nuclear weapons, and certainly not to any non-state actor. Even in the midst of their program, they declared they were not a proliferation threat.[42] In fact, one of the reasons they decided to destroy their weapons was the near certainty that the African National Congress, an enemy of the regime for years, would come into power in an upcoming election.[43] The weapons were desired purely as a defensive deterrent.

South Africa's status as a US regional ally certainly helped their nuclear ambitions. America was reluctant to impose serious sanctions for years for fear that it would destabilize the region or hurt the fight against communism.[44] This only mattered during the early years of weapons production though, once they had the weapons, or the ability to produce them themselves, sanctions were no longer effective as a counter-proliferation measure. Of course, as the US lost any reason to keep South Africa as an ally, it was willing to impose much stiffer sanctions than before.

The South African government made a series of rational actions. Realizing they faced a security threat, they developed a nuclear deterrent, and as no amount of economic sanctions could solve the underlying problem, they finished weapons development in the face of increasing international isolation. When their security problem dissipated, they no longer had a reason to pay a huge cost for a nuclear deterrent, so they destroyed their weapons. As the international environment changed, South Africa responded with rational policies.

Case Study: Non-Proliferation Failure in Pakistan

Pakistan is one of only a handful of nuclear weapons states and the only known state to both have close relations with terrorist organizations (as defined by the United States) and possess nuclear weapons. Examining Pakistan is thus critical to gain insight into the prevention of weapons proliferation into terrorist hands. There are a handful of reasons why a state would build a nuclear weapon,

41 Ibid.
42 Paul Van Slambrouck. "S. Africa tries to allay fear on nuclear plans." Christian Science Monitor, 02 02, 1984.
43 Ibid.
44 van Wyk, 2010

but chief among them, as seen in South Africa, is the need for deterrence: a fear of a conventionally more powerful neighbor invading and destroying them.[45] Pakistan had suffered defeat by their chief rival India in successive wars, even losing a significant piece of their territory, East Pakistan (now Bangladesh) in 1971. Far smaller and less powerful than its rival, Pakistan needed unconventional weapons if it could ever hope to survive, to say nothing of prevent, another serious conflict.[46]

Pakistan's investments in nuclear weapons clearly show this. Rather than attempting to become a global nuclear power like the US or Russia, Pakistan has opted for a regional approach, a consequence of the only security threat they feel: India.[47] As such, their air and land based delivery systems have ranges to hit Indian targets, but not much further.[48] These ranges do let them threaten other countries in the region should the need arise, however. Western China and American interests in Afghanistan are well within the range of their weapons. This is a secondary concern for Pakistan however; the major threat in the area remains India for the foreseeable future.[49]

In the 1980s, Pakistan had a policy similar to South Africa's: neither confirm nor deny the possibility that they had, or could build, weapons.[50] A series of security crises with India pushed them to fully develop, or deploy, if they had already been developed, the technology. In 1986, the Brasstacks crisis came from large Indian training exercises close to the border in an area called Rajastan, which was the most likely place from which an invasion of Pakistan could be launched.[51] The massive size and use of tactical nuclear weapons in the training pushed Pakistan to hold their own exercises in response. Each move escalated the crisis, and vague nuclear threats were made as an effort to maintain deterrence.[52] This occurred again only a few years later in Kashmir, eventually calmed by US diplomatic intervention, but nuclear threats were once again exchanged. Pakistan

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45 Steven G. Stransky 2011. The Nuclear Nonproliferation Treaty and Pakistan: Interpreting Nuclear Security Assistance Prohibitions. Florida Journal Of International Law 23, no. 1: 1-47.

46 Michael Tkacik. 2010. "Pakistan's Nuclear Weapons Program and Implications for US National Security." International Relations 24, no. 2: 175-217.

47 Vernie Liebl. 2009. "India and Pakistan: Competing Nuclear Strategies and Doctrines." Comparative Strategy 28, no. 2: 154-163.

48   Ibid.

49 Tkacik. 2010

50 Samina Ahmed. 1999. "Pakistan's nuclear weapons program." International Security 23, no. 4: 178

51 Tkacik, 2010

52 Ibid.

saw these crises as victories.[53] They had successfully averted invasion by India by maintaining a nuclear threat, the definition of nuclear deterrence.

In 1998, India tested its nuclear capabilities again (the first time since 1974), and Pakistan responded by testing, and thus revealing, their own weapons only a few days later, a clear political message. Sanctions were imposed on both as a result of nuclear testing, but they had little effect, neither were willing to give up their deterrent.[54] In 1999, another military conflict broke out, but unlike the previous direct military engagements of Pakistan and India, this was an extremely limited war, and no escalation took place. Limited war for limited gains is the outcome of nuclear deterrence; neither side wants to escalate due to the risk of nuclear obliteration.[55] Though there were casualties, the total was only around 1,000, low for a modern conventional conflict, and neither side violated the other's recognized sovereign territory.[56] Again, the limited nature of the war, compared to the previous conflicts with India, showed Pakistan the advantage of the nuclear deterrent.

The threat India poses to Pakistan is not going away any time soon, and the Pakistani regime has seen the utility of nuclear deterrence in protecting their territory. This suggests a very different theoretical outcome from South Africa, and one that has played out in reality. Until Pakistan feels its security situation has abated enough to not need a deterrent, they are unlikely to relinquish their weapons. In fact, given the amount India is spending on modernizing its military, Pakistan will continue to invest in its nuclear program, building more and better missiles.[57] The risks and threats are higher in Pakistan today than South Africa in the 1970s. South Africa only wanted nuclear weapons as insurance. Pakistan has decided that only nuclear threats and a first-use policy can keep them safe from a much larger foe.

Similar to South Africa, Pakistan is a US strategic ally, though against a very different sort of enemy than the Soviet Union.[58] The US's need for Pakistan's cooperation regarding counter-terrorism limits the level of sanctions the US will put on them regarding their nuclear program. Similar to its relationship with

53 Ibid.
54 Dinshaw, Mistry. "Diplomacy, Sanctions, and the U.S. Nonproliferation Dialogue with India and Pakistan." Asian Survey, Vol. 39, No. 5
55 Kames E King Jr. 1957. "Nuclear Plenty and Limited War." Foreign Affairs 35, no. 2: 238-256.
56 Tkacik, 2010
57 Andrew Bast. 2011. "Pakistan's Nuclear Calculus." Washington Quarterly 34, no. 4: 73-86
58 Albar A. Sheikh. 2010. "An Uneasy Alliance." Journal Of International Peace Operations 6, no. 3: 7-8.

South Africa, the immediate strategic concern is considered more important to the United States than long-term counter-proliferation.. Pakistani missiles do not immediately threaten US interests, while guerilla fighters in Afghanistan do.

Final Analysis and Conclusion

Domestically, South Africa and Pakistan are nothing alike, with vastly different cultures, racial make-ups, and type of government. Except for a shared history as British colonies, they have little in common. And yet, from an external perspective, the actions they take are remarkably similar. Faced with an existential security threat (real or imagined) they took steps necessary to guarantee regime survival. Pakistan is farther along that line of logic now than South Africa was in the early 1980s, but it stands to reason that if the Soviets had poured massive resources into Angola, and had already proved it could be victorious in conventional battle, South Africa would have made the same decisions that Pakistan did. This falls in line with the theory outlined in Waltz's Man, the State, and War, stating that although a state's external behavior might be influenced by individual or national factors, the international system that the state faces is the main factor in determining outcomes.[59] It is worth noting that in neither case did sanctions reverse the regime's decision to go, or stay nuclear, they only raised the cost of doing so, and not in a manner that affects the regime.

The conflict faced by both South Africa and Pakistan is a large state-small state dichotomy, wherein one state feels it is unable to compete conventionally. Both Pakistan and South Africa faced enemies that were much more powerful than them in conventional terms, and needed to devalue that conventional disparity with nuclear arms. Non-security concerns did not appear to make much of an impact in nuclear decision making: South Africa's government clearly did not feel that nuclear weapons were needed as a source of national pride, or they would have held on to them after their security concerns abated. If nationalism and domestic politics were a factor in their decision-making, then that aspect can be overridden by international sanctions and isolation. The people want butter more than they want guns, but they want to be alive more than have butter, and are willing to do without to guarantee their safety.

These cases suggest that the solution to nuclear proliferation is a change of security environment. With the proper sanctions regime in place, states can be

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59 Waltz, Kenneth N. 1959. "Man, the state and war: a theoretical analysis." New York [u.a.]: Columbia Univ. Press.

dissuaded from building a weapon to satisfy a non-security agenda, but only if a country does not feel threatened will they not feel a need to go nuclear. The safer a state feels, the less it will want a deterrent. This worked for South Africa, who were able to denuclearize after both the Soviets withdrew from Africa and peace was made with their neighboring states. Pakistan, unfortunately, does not have this scenario as an outcome. India is a giant next-door neighbor, with a conflict going back decades and no true peace in sight. Similarly, America, Pakistan's on-again off-again strategic ally, has violated its sovereignty multiple times and invaded nearby countries. If the relationship between Pakistan and America becomes truly antagonistic, their weapons will serve to deter multiple large neighbors: India, America (who is effectively everyone's neighbor with its ability to project military power) and even China, a huge country with a recent history of military conflict with its neighbors. Pakistan faces too much insecurity to end its weapons program like South Africa did, and any amount of punishment for continuing the program is worth warding off those existential threats.

If state security is the main purpose of building a nuclear weapon, intentional proliferation to a non-state actor is unlikely. Terrorist attacks on an enemy will not help ones security situation (one needs only look at the Taliban's security situation post 9-11), and using an unprecedented nuclear terrorist attack would likely provoke a nuclear response, proving the deterrent threat is real and the state really will drop the bombs if needed. Pakistan, in giving the bomb to an organization to destroy Mumbai for example, runs a massive risk of nuclear retaliation, which is counter to their goal of deterring aggression. They have everything to lose and nothing to gain. Of course, a state's weapons can be proliferated in other ways, like outright theft. South Africa's nuclear materials are safely locked away, but Pakistan has complete weapons in existence, making it possible for groups to steal them. Securing their nuclear arsenal should be a priority for any state that possesses or seeks to possess nuclear weapons, not least because it could be used against them.

Although the nations of the world cannot without using force stop a state from building weapons if it feels it needs to (assuming it has the ability to do so), helping to provide security for those weapons should be a priority for nuclear states. America has helped Russia secure its loose nuclear stockpile, offering no-strings-attached help to keep any other state's weapons under their control should be the policy of the United States. Technical assistance, training, anything that will help Pakistan keep control of its weapons and prevent a nuclear catastro-

phe. The result will be a more secure world, with its most dangerous weapons under the command of, if not completely rational actors, at least ones that have similar preferences.

In a self-help world, one will do what one must to stay safe and protect its interests. Regardless of the social or economic situation a state faces, security comes first. A global effort to reduce threat, end conflicts, and help everyone feel more secure in their sovereignty is the greatest weapon in the war against nuclear proliferation. In contrast, military threats made to stop someone from building a bomb will have the opposite effect. The more threatened someone feels, the more likely they are to do whatever is needed to end that threat. Large military powers that value non-proliferation would do well to recognize this fact, and attempt to make peace, solving the underlying security issues of a state that is considering going nuclear. Economic sanctions will not stop a state from wanting the bomb, and military strikes will only make a state want it more. As idealistic as it sounds, peace and security are the paths to non-proliferation, not sanctions, international law, or hegemonic force.

Bibliography

Ahmed, Samina. 1999. "Pakistan's nuclear weapons program." International Security 23, no. 4: 178

Barkley, Daniel 2008, "Ballistic Missile Proliferation : An Empirical Investigation"., Journal of Conflict Resolution 52, 455

Bast, Andrew. 2011. "Pakistan's Nuclear Calculus." Washington Quarterly 34, no. 4: 73-86

Bunn, Matthew and Anthony Wier. 2006. "Terrorist nuclear weapon construction: How difficult?" Annals of the American Academy of Political and Social Science 607:133-49.

de Villiers, J. W, Roger Jardine, and Mitchell Reiss. 1993. "Why South Africa Gave Up the Bomb." Foreign Affairs 72, no. 5: 98-109.

Frey, Karsten. 2007. "The psychology of nuclear choice." Journal Of Genocide Research 9, 3: 369-387.

Harris, Verne et al. "Unveiling South Africa's Nuclear Past," Journal of Southern African Studies, 30, 3, September 2004

Hymans, Jacques E. C. 2008. "Assessing North Korean Nuclear Intentions and Capacities: A New Approach." Journal Of East Asian Studies 8, 2: 259-292.

Katz, J.I. 2008. "Lessons Learned from Nonproliferation Successes and Failures." Comparative Strategy 27, no. 5: 426-430.

King, Kames E Jr. 1957. "Nuclear Plenty and Limited War." Foreign Affairs 35, no. 2: 238-256.

Large, John. 2005, " The Actual And Potential Development Of Nuclear Weapons Technology In The Area Of North East Asia." Greenpeace International. Last modified 5/2/2005.

Lecture Notes, Introduction to Global Peace Studies

Liberman, Peter. 2001. "The Rise and Fall of the South African Bomb." International Security 26, no. 2: 45-86.

Lieber, Keir A. 2011. "Mission Impossible: Measuring the Offense-Defense Balance with Military Net Assessment" Security Studies, 20:3, 451-459

Mistry, Dinshaw. "Diplomacy, Sanctions, and the U.S. Nonproliferation Dialogue with India and Pakistan." Asian Survey, Vol. 39, No. 5

Moran, Matthew and Matthew Cottee. 2011. "Bound by History? Exploring Challenges to French Nuclear Disarmament". Defense & Security Analysis 27, 4: 341-357.

Purkitt, Helen E. and Stephen F. Burgess, "Correspondence: South Africa's Nuclear Decisions," International Security, Vol. 27, No. 1 pp. 186 –194

Ripburger, Joseph T., Thomas M. Rabovsky, Kerry G. Herron. 2011. "Public Opinion and Nuclear Zero: A Domestic Constraint on Ditching the Bomb." Politics & Policy 39, no. 6: 891-923.

Schelling, Thomas. The Strategy of Conflict. Cambridge, MA: Harvard University Press, 1960

Sheikh, Albar A. 2010. "An Uneasy Alliance." Journal Of International Peace Operations 6, no. 3: 7-8.

SIPRI Military Expenditure Database, http://www.sipri.org/databases/milex/

Stransky, Steven G. 2011. "The Nuclear Nonproliferation Treaty and Pakistan: Interpreting Nuclear Security Assistance Prohibitions." Florida Journal Of International Law 23, no. 1: 1-47.

Tkacik, Michael. 2010. "Pakistan's Nuclear Weapons Program and Implications for US National Security." International Relations 24, no. 2: 175-217.

Van Slambrouck, Paul. "S. Africa tries to allay fear on nuclear plans." Christian Science Monitor, 02 02, 1984.

van Wyk, Martha, "Ally or Critic? The United States' Response to South African Nuclear Development, 1949–1980" Cold War History Vol. 7, No. 2, May 2007, pp. 195–225

van Wyk, Martha, "Nuclear (Non)Proliferation Sunset over Atomic Apartheid: United States–South African nuclear relations, 1981–93" Cold War History Vol. 10, No. 1, February 2010, 51–79

Vernie Liebl. 2009. "India and Pakistan: Competing Nuclear Strategies and Doctrines." Comparative Strategy 28, no. 2: 154-163.

Waltz, Kenneth. 1959. Man, the State and War: a Theoretical Analysis. New York [u.a.]: Columbia Univ. Press.

Waltz, Kenneth. 1981 "The Spread of Nuclear Weapons: More May Better," Adelphi Papers, 171

Waltz, Kenneth. 1990. "Nuclear Myths and Political Realities." American Political Science Review 84, no. 3: 731-745.

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ABSTRACT » *Several countries have made a bid to fill the current power vacuum in the Middle Eastern region. Turkey's many assets including an impressive economic growth rate, military presence, large population and effective use of soft power, makes it a strong contender to be the regional hegemon. If Turkey achieves hegemonic status, it will have the ability to both stabilize the region as well as bridge cultural gaps internationally. In this pursuit, Turkey faces obstacles. Its domestic democratic deficits hinder its ability to be accepted into the international community. Further, memories of the Ottoman Empire may obstruct its influence within the Middle East. Turkey had mixed results in its dealings with Syria and Libya, making it unclear if their policies will be effective. This paper analyzes the challenges that Turkey faces in its bid for power as well as the benefits that their new position could contribute both in the region and the international system.*

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VI

Turkey as an Emerging Regional Power: New Foreign Policy in a Volatile Region

» by Alana Coryell

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Introduction

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Turkey is engaging in actions that indicate a grab for regional hegemony amid the Middle East's current unstable climate. The state has been making efforts towards hegemonic regional status by overseeing negotiations between local states as well as asserting their position on Middle East issues; a clear delineation from their previous foreign policy orientation.[1] While Turkey boasts key factors that could help them attain hegemonic status, the country has limitations to contend with. Turkey has only been able to exert its influence through soft power, which has proven ineffective against serious conflicts such as Syria.[2] Despite this setback, Turkey as an emerging power could be beneficial. With its deep cultural and historical ties in the Middle East, Turkey could help stabilize this volatile region, making it a strategic country for regional and foreign interests.[3]

I will begin this paper by offering competing views from different scholars about the plausibility of Turkey's ambitions and ability to

1   Mustafa Akyol, 2011. Turkey's Maturing Foreign Policy." Foreign Affairs, accessed 2/6/2012, http://www.foreignaffairs.com/articles/67974/mustafa-akyol/turkeys-maturing-foreign-policy.

2   Al Jazeera, 2011, "Turkey Imposes Sanctions on Syria." Al Jazeera, accessed 4/9/2012,

3   Nicholas Burns, 2012, "The Rise of Turkey as a Superpower." Belfer Center, accessed 4/9/2012, http://belfercenter.ksg.harvard.edu/publication/21970/rise_of_turkey_as_a_superpower.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%253A+belfer%252Fpublications+%2528Belfer+Center+for+Science+and+International+Affairs+-+Latest+Publications%2529.

implement the change that the country desires. I will then address Turkey's history and how the country has come into the position that it currently holds in the region. I will add examples of Turkey being an influential force in the region as well as areas where the country is not succeeding with its intentions. Specific case studies include Syria, before and after the uprising, as well as Turkey's role in Libya post Arab Spring. These case studies are important as they show Turkey's capabilities and limitations to influence other countries. Examples will be followed by an analysis of Turkey's regional hegemony capabilities, and finally, a conclusion of all aspects that were discussed previously.

Literature Review: Advantages and Limitations

Turkey's rise to regional power is too recent of a phenomenon for there to be much empirical data on the efficacy of Turkey's actions. However, there are prominent scholars who have competing views as to the viability of Turkey being the regional hegemon. Most of the scholars are currently debating Turkey's ability to win influence over the other countries.

Several factors help as well as impede Turkey's ascendency to power. Turkey's economic growth rate has been increasing faster than the other countries in the region, including many Western countries; as a rise in GDP is proportional to political influence. Its geo-strategic location as a transcontinental country, will allow it to be an energy transit route, providing Turkey greater sway over Russia and Europe.[4] Furthermore, Turkey being a secular but predominantly Muslim country, allows it to be a conduit between Western and Middle Eastern countries, which as tensions deepen between these two global religions, Turkey's role as a bridge and a powerful ally to the West will play a strategic role.[5]

However, there are issues that impede Turkey's ascension. For one, Turkey's recent souring relations with Israel have directly correlated to a decrease in negotiating power.[6] On a related note, Turkey's attempts at negotiations with Syria and Hamas show that Turkey does not have the sway to influence the region

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4   Saban Kardas, 2011, "Geo-strategic position as leverage in EU accession: the case of Turkish-EU negotiations on the Nabucco pipeline." Journal Of Southeast European & Black Sea Studies, 11(1), 35-52. doi:10.1080/14683857.2011.558721.

5   FareedZakaria, 2010, (Host of GPS on CNN), interview by Het lees, Dutch Interview"unknown," Podcast Video, October 2007, November 25, 2011, http://tegenlicht.vpro.nl/afleveringen/2007-2008/turkije-het-dilemma-van-de-democratie.html.

6   Oded Eran, 2011, "Israel: Quo Vadis, Turkey?" Insight Turkey 13, no. 4: 31-38.

yet.[7] Human rights violations in regard to their Kurdish population and jailing of journalists has garnered them international criticism. Lastly, while Prime Minister Erdogan is currently viewed very favorably by the Arab street,[8] long held memories of the Ottoman Empire and Turkish military expansion could cause concern and a backlash against this rising power.

Turkey's consistent economic growth rate along with a strong and well-established military have caused it to become one of the strongest contenders in the region after Russia.[9] Turkey has boasted an impressive growth rate of 7 percent in the last decade until finally settling at 6.6 percent in 2011; ranking them 29th in the world in terms of growth.[10] Their GDP is 1.053 trillion, placing them at 17th in the world.[11] This firmly seats Turkey as the strongest economic power in the region after Russia. Militarily, Turkey spends more of its GDP on its military than most other countries within the region, placing Turkey in the same tier as Russia, Syria, Israel, Saudi Arabia and Iran.[12] Finally, Russia is the only country that exceeds Turkey in population size[13] These empirical facts correlate to the rising potential of Turkey's regional dominance.[14]

Turkey is also likely to gain regional dominance through its strategic location. Turkey is a bridge to the Middle East and borders volatile countries such as Syria, Iraq and Iran. Turkey also has control over Bosporus and the Dardanelles; which gives them direct influence over trade and the flow of war ships through the Black Sea.[15] Its location is also a factor when considering energy. Turkey is in the perfect position to be the energy bridge between the East and West; serving as a transit for natural gas from Russia and the Caucuses to Europe as well as oil from the Middle East. Specifically, as Europe's demand for energy from Russia

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7   Meliha Altrunisik and Esra Cuhadar, 2010, "Turkey's Search for a Third Party Role in Arab–Israeli Conflicts: A Neutral Facilitator or a Principal Power Mediator?" Mediterranean Politics. 15(3), accessed 3/5/2012, http://www.tandfonline.com/doi/full/10.1080/13629395.2010.51710.

8   Bobby Ghosh and Pelin Turgut, 2011, "ERDOGAN'S MOMENT." Time 178, no. 23: 38-43.

9   Stratfor (2011). "The Geopolitics of Turkey: Searching for more," Stratfor Global Intelligence, Aug.2 2011, http://web.stratfor.com/images/writers/STRATFORTurkeyMonograph.pdf (accessed November 25, 2011).

10   Central Intelligence Agency, 2011, "Middle East: Turkey." The World Factbook. Accessed 3/5/2012.https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html.

11   Ibid.

12   Sonmez H. Atesoglu, "National Power of Turkey and Other Powers in the Region," 40.

13   Central Intelligence Agency, "Middle East: Turkey."

14   Sonmez H. Atesoglu, "National Power of Turkey and Other Powers in the Region," 43.

15   Stratfor (2011). "The Geopolitics of Turkey: Searching for more," Stratfor Global Intelligence, Aug.2 2011, http://web.stratfor.com/images/writers/STRATFORTurkeyMonograph.pdf (accessed November 25, 2011).

increases, so does Russia's economic power and influence.[16] Turkey's location would allow for Europe to build the Nabucco pipeline in order to transport natural gas from the Caucasus through Turkey to Europe; therefore diversifying Europe's energy dependency on Russia.[17] Having the Nabucco pipeline will increase Turkey's role as a regional player as they will become an important asset in curtailing Russian influence.[18]

Turkey has the prospects to play an important role in the 21st century that could make the country an essential ally to Western nations. Current rising tensions between secular and Islamic countries have created security dilemmas with the increase of miscommunications and misinterpretations from differing lifestyles and perspectives. However, Turkey as a modernized Muslim country, offers an opportunity to bridge the gap between Christian and Muslim states. Prominent intellectuals such as Fareed Zakaria and Zbigniew Brzezinski argue that the emergence of a modernized Islamic country will enrich and ease religious tensions which could prove integral to international security. As Fareed Zakaria states:

> If Europe is worried about Islam, it would seem to me the answer is not to turn your back on the one modern Muslim country in the world. If your fear is about Islam - you already got it. You already have millions of Muslims within your borders. So then the question of how to modernize them becomes the crucial one. And in that context it would seem to me you would want to have as much association possible with the one modernizing Muslim society.[19]

Zakaria continues on to argue that allowing Turkey into the European Union will send a strong message to Islamic countries that it is possible to be allied with the West, remain Islamic, and that these identities are not mutually exclusive; that Middle Eastern countries do not have to give up their Islamic heritage in order to interact with the international system. This would also help the West, as Zbigniew Brzezinski states: "Drawing in Turkey would greatly increase the vitality of the West."[20] Adding Turkey into the EU will increase global security by showing Muslim countries that they can modernize and have the economic

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16 Ibid.

17 Saban Kardas. (2011). "Geo-strategic position as leverage in EU accession: the case of Turkish-EU negotiations on the Nabucco pipeline." Journal Of Southeast European & Black Sea Studies, 11(1), 35-52. doi:10.1080/14683857.2011.558721.

18 Ibid.

19 Zakaria, "Podcast Video," 2010.

20 Zbigniew Brzezinski, 2012, Strategic Vision: America and the Crisis of Global Power. New York: Basic Books. Kindle Edition.

growth that Turkey has achieved without giving up their Islamic heritage.[21] Currently, many Middle Eastern countries feel that Western practices will force them to lose their depth of culture; causing a strong reaction against the West. However, backlash can be mollified if modernization is implemented slowly through leaders such as Turkey.

While it is likely to be a slow process towards modernization, Islamic countries can democratize if they are gradually exposed to changes. As Zbigniew Brzezinski states, this would benefit Western interests: "A genuinely Western-type Turkish democracy, if solidly anchored in the West through more than just NATO, could be Europe's shield protecting it from the restless Middle East."[22]

Limitations

However, there are setbacks to Turkey's rise to power. Up until the last couple of years, Turkey and Israel had a cooperative relationship. The alliance has waned since Turkey citizens, as a whole, empathize with the Palestinians and Prime Minster Erdogan has been a vocal advocate for the fair treatment of the Palestinians. What really set the course for soured relations between the two countries was the Israeli attack on the Flotilla aid in 2008, as well as Erdogan's outburst at the Davos Summit in 2009.[23] Since the attack on the flotilla, Turkey has stepped forward to oversee Palestinian negotiations but Israel has continued to deny them, stating that Turkey is unlikely to be unbiased and fair.[24] This is a detriment to Turkey's influence as Israel is a powerful player in the region. If Turkey seeks a dominant position then relations between the countries will have to improve.

Another setback to Turkey being a central actor is proving an ability to influence the policies of the surrounding countries. Turkey has had some success, such as when they were able to bring Israel and Syria together for talks in 2008.[25] However, after the fallout with Israel, Turkey has lost their image of impartiality; therefore, they cannot be viewed as a neutral facilitator. Turkey could come

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21 Zakaria, "Podcast Video," 2010.

22 Brzezinski, Strategic Vision, Kindle Ed.

23 Oded Eran, 2011, "Israel: Quo Vadis, Turkey?" Insight Turkey 13, no. 4: 31-38.

24 Altunisik, 2011, "Challenges to Turkey's Soft Power in the Middle East," Tesev, Accessed 5/5/2012.

25 Ibid.

through as a power negotiator; however the country lacks the resources and ability to give sufficient incentives to change behavior.[26]

Neighboring Islamic countries share doubts and concerns about Turkey's rise to power, given a shared history of imperial rule. Currently, Prime Minister Erdogan is viewed positively among the Arab populace. Erdogan has been outspoken against the current Israeli violence against the Palestinians, and this sentiment, as well as the display of standing up to the Western powers, has positively affected his image in the Arab street.[27] With such support, Erdogan is in a unique position to increase Turkey's influence over the region; in fact, many of the countries populace would like to see their own leaders emulate Erdogan.[28] While the Prime Minister's popularity hasn't translated to tangible changes of influence in the region yet, there is the potential that his popularity will accrue Turkey some amount of soft power.

However, despite Erdogan's popularity, memories of the Ottoman Empire run deep within cultural psyches. As Soli Ozel stated: "Arab countries don't want Turkey to be the kingmaker in Syria, Arabs are Arabs, and Turks are Turks."[29] Fears of the return of an old ruling system could cause the countries in the region to reject Turkey's ascendancy and instead balance against the country to prevent hegemony.

Turkey suffers from a discrepancy between their domestic policies and foreign policy rhetoric.[30] In recent years Turkish democracy has suffered a backslide in terms of freedom of speech. Turkey currently imprisons more journalists than any other country. In 2013, the Press Freedom Index ranked Turkey 154th out of 179 countries while in the same survey in 2005 they ranked 98th.[31] More importantly, Turkey has yet to adequately address the Kurdish issue. The Syrian uprising has heightened friction as calls for secession for Kurds has increased, complicating resolution.[32] While there is benefit to be gained from Turkey becom-

26 Ibid.

27 Bobby Ghosh and Pelin Turgut, 2011, "Erdogan's Moment." Time 178, no. 23: 38-43.

28 Ibid.

29 Soli Ozel. 2011. "Changing the Debate Over Turkey." Reset DOC. Accessed 4/3/2012. http://www.resetdoc.org/story/00000021749

30 Sinan Ulgan. 2012. "A Transformed Turkey: What is the Role for Ankara as a Regional Power?" Sais Review.32 (2)41-50. Accessed 3/13/2013.

31 Reporters Without Borders. 2013. "Press Freedom Index." Accessed 3/13/2013. http://en.rsf.org/press-freedom-index-2005,549.html

32 Sinan Ulgan. 2012. "A Transformed Turkey: What is the Role for Ankara as a Regional Power?" Sais Review.32 (2)41-50. Accessed 3/13/2013.

ing a regional power, there are legitimate concerns as well as obstacles for Turkey to achieve that status. The following are examples of Turkey influencing other countries in the region.

Turkey's Influence in Libya

Initially after the Arab Spring, Turkey showed promise in its ability to be commanding and affective. While initially slow to back Tunisia's uprising, Turkey did eventually come through to support the government transition. However, Turkey's best moment was when Erdogan called on Mubarak to step down in an immediate and well-timed speech. Erdogan's forceful statement coupled with Mubarak's resignation proved a potent mix for the leader, who was immediately catapulted to stardom among Egyptians. This image of a forceful and effective reformer greatly benefited Erdogan and gave credence to Turkey's influence as many Arab citizens called for their leaders to emulate Erdogan.[33] However, the Premier tarnished his new reputation when he was late in condemning the intervention in Libya.[34] Turkey's initial silence was reasonable as there were Turkish workers in Libya and legitimate fear that these workers would be put in harm's way. However, once the workers were evacuated, instead of supporting the humanitarian efforts of NATO, Erdogan came out scathingly vocal against the intervention.[35] The Premier stated with vitriol: "I wish that those who only see oil, gold mines and underground treasures when they look in [Libya's] direction, would see the region through glasses of conscience from now on."[36] The fact that Turkey has economic ties with Libya totaling around 15 billion in investments made his seemingly noble statement ring hollow.[37] After this attack on the intervention and initial disagreement with NATO, Turkey eventually changed its position and decided to participate in the engagement, although never in the actual bombardment.

After the success of the rebel fighters, Erdogan became one of the first heads of state to visit the new government, where he was warmly received. In the end, Turkey's late entry into the intervention did not necessarily hurt his image among the Arab street, but the international community perceived the country's actions as hesitant and lacking. This is a problem since perception is key in the

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33 Gosh and Turget, "Erdogan's Moment," 38-43.
34 Ozel, "Changing the Debate over Turkey," 2011.
35 Ibid.
36 Ian Taylor, "Turkey and France Clash over Libya Air Campaign," 2011.
37 Al Jazeera "Turkey Imposes Sanctions on Syria," 2011.

projection of power and Turkey has shown itself to be unsure and self-focused; although, at the very least nimble in its reactions. Erdogan embarked upon an Arab Spring tour in 2011, visiting Egypt, Tunisia and Libya.[38] The Premier was welcomed to great fanfare at all these locations.[39] This could be seen as a mark in favor for Turkey's regional power. However, popular public opinion can only go so far and at this moment, Turkey has not been able to capitalize on Erdogan's popularity to enact major change.

Relations with Syria Pre-Uprising

Turkey's seemingly first major achievement in asserting power in the region came from its initial success with Syria. Syria shares Turkey's longest common border, yet before 1998 their relations were tumultuous.[40] Various issues plagued their relations such as territorial disputes over Hatay, Turkey's withholding of water from Northern Syria, and Syria's support of the Kurdistan Worker's Party (PKK).[41] However, relations vastly improved after the Adana Agreement in October of 1998.[42] Syria recognized the PKK as a terrorist group, which led to the expulsion of PKK leader, Abdullah Ocalan. After this point, all aspects of inter-relations between the two countries flourished, including economic, business and political.[43] The two countries set up the High Level Strategic Cooperation Council and their meetings have led to many agreements, such as a free trade agreement in 2007 that has vastly increased trade volume between the two countries.[44]

Out of all the positive changes between the two countries, the highlight for Turkey was overseeing peace negotiations between Israel and Syria. Israel and Syria have been hostile to each other since Israel's acquisition of the Golan Heights after the 1967 war; however, for a time Turkey was making progress between the two countries, which led the international community to view Turkey as an increasingly important actor in the region. This moment was formative

38   Ibid.
39   Gosh and Turget, "Erdogan's Moment," 38-43.
40   Stratfor, "The Geopolitics of Turkey: Searching for More," 2011.
41   Selen Tonkas, 2009, "Turkish-Syrian Crisis of 1998 and its Aftermath." Orsam, accessed 5/8/2012, http://www.orsam.org.tr/en/showArticle.aspx?ID=201.
42   Representative of Foreign Affairs. 2012. "Relations Between Turkey-Syria." Republic of Turkey Minsitry of Foreign Affairs. Accessed 4/3/2012.http://www.mfa.gov.tr/relations-between-turkey%E2%80%93syria.en.mfa.
43   Ibid.
44   Ibid.

for Turkey as they began to view themselves as highly influential.[45] As Soli Ozel States: "Turkish foreign policy has been adamant about showing Turkey as a regional power with a global reach, that positions itself as an order builder."[46] Peace negotiations continued until the Israeli-Gaza conflict in 2006 and they have not restarted since the Flotilla incident in 2008.[47] Unfortunately, Turkey's influence over Syria has been shown to be negligible after Turkey's inability to prevent President Bashar al-Assad's violent crackdown on the Syrian uprising in 2011.

Turkey's Relations with Syria after the Uprising

Prime Minister Erdogan and President al-Assad had been extremely friendly since 2000, increasing bilateral cooperation and even vacationing together.[48] In fact, their improved relations were widely seen as the exemplary success story of Turkey's foreign policy. With the increased agreements and cordial interactions between the countries, these two heads of state were quickly becoming strong allies within the region. It was because of this friendship that Turkey was slow to condemn President al-Assad's violent reaction against the uprising that started in 2011.[49] Yet, after Bashar al-Assad's brutal crackdown continued at the expense of his citizen's lives, Turkey instead vocally condemned its ally and began to apply pressure for an immediate cease fire. Turkish Foreign Minister Ahmet Davutoglu warned that Turkey would not "remain indifferent."[50]

Since Turkey's shift in its position, the country has taken the lead by engaging in forceful diplomacy as well as implementing humanitarian programs for Syrian citizens fleeing the country.[51] However, despite the countries close ties and friendly rapport between the leaders, Turkey's pressure on al-Assad has not led to a ceasing in Bashar's attacks against his citizens. This was an indicative moment as Turkey showed no ability to actually persuade or coerce their close ally and neighbor, therefore showing the international community how limited

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45 Svante Cornell, 2012, "What Drives Turkish Foreign Policy?" Middle East Quarterly. 19(1):13-24, accessed 3/5/2012, http://www.meforum.org/3129/turkish-foreign-policy.

46 Ozel, "Changing the Debate over Turkey," 2011.

47 Cornell, "What Drives Turkish Foreign Policy?" 13-24.

48 Dan Bilefsky, 2012, "Despite Bold Talk on Syria Turkey Sees Limits of its Power," New York Times, accessed 3/5/2012, http://www.nytimes.com/2012/03/17/world/europe/despite-bold-talk-on-syria-turkey-sees-limits-of-its-power.html.

49 Economist, 2011, "One Problem with a Neighbor," Economist, accessed 4/10/2012.

50 Bilefsky, "Despite Bold Talk on Syria Turkey sees Limits of its Power," 2012.

51 Ibid.

Turkey's influence currently is in the region. It was a humbling moment for Turkey as well, as Soli Ozel stated:

> With Syria things haven't turned out the way Turkish officials have expected. Turkey was most invested in Syria in the last 7 years. Syria was a keystone in Turkish foreign policy. It was part of Turkey's discourse that it could deliver Syria, it was confident it could deliver Syria. And Turkey's allies waited for Turkey to deliver Syria and after 7 months of valiant but somewhat futile efforts in Syria Turkey has thrown in the towel in the wake of the Hamas massacres that followed the visit of the foreign minister in Damascus.[52]

While it is too early to tell whether or not Turkey will have an effect on its neighbor, the outcome of their efforts will lead to a change of opinion about Turkey's ability to influence, from actors in the region as well as internationally.

Analysis: Efficacy of Libyan and Syrian Policies

Syria as a case study is interesting because it shows the capabilities of Turkey's influence as both prevalent and rudimentary, with a potential to swing in either direction. So far attempts from Davatoglu and Erdogan to have an effect on Bashar's behavior have not been successful. This has affected the international communities' perception of Turkey's power. As Soli Ozel states:

> Of course, when you claim to be very influential and suddenly you cannot achieve any result, this generates a lot of suspicions about your real power in the international system. But, be that as it may, nobody can actually influence what goes on in Syria, not immediately anyway. But Turkey is going to be part of the solution, no matter what.[53]

One could argue that no outside country could have an effect without direct military action. Turkey seems hesitant to use military force unilaterally because of the effect an intervention could have, such as a refugee crisis or a regional war.

Erdogan's inability to stop al-Assad could be perceived as a statement against Turkey's actual power. However, this does not mean that Turkey's efforts won't lead to change. While so far Turkey's vocal admonishments have had little effect, there is evidence to show that Turkey can still influence negotiations with Syria or at least influence post-Assad Syria.[54] To date, there have been two

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52 Ozel, "Changing the Debate over Turkey," 2011.

53 Al Jazeera, "Turkey Imposes Sanctions on Syria," 2011.

54 Bernadette Bertie. 2012. "Turkey's Dilemma: How to Act on Syria without Losing Soft Power." E-International Relations. Accessed 4/9/2012. http://www.e-ir.info/2012/03/24/turkeys-dilemma-how-to-act-on-syria-without-losing-soft-power/

multilateral meetings to discuss the crisis in Syria. The first summit was held in Baghdad, which Turkey was not invited to. This meeting proved unsuccessful because of the lack of state leaders as well as Assad's continuation of his government crackdown on civilians. A second meeting was rescheduled, this time hosted in Istanbul by Turkey, showing instead the importance that Turkey holds over the crisis in Syria. This summit held on April 1st 2012 in Istanbul was attended by more influential leaders including Hillary Clinton and Mr. Davutoglu.[55] During this meeting, Turkey showed that it was ready to enact more forceful policies on Syria as Erdogan stated that: "If the U.N. Security Council fails once again to bring about its historic responsibility, there will be no other choice than to support the Syrian people's right to self-defense."[56] Turkey seems not quite capable to enforce coercion on its own, but does still have a presence and effect on Syria. The methods that Turkey utilizes for its crisis with Syria will show the international community the level of Turkey's capabilities, which if done correctly, could be quite beneficial for Turkey's legitimacy. Couple this with Turkey's fair treatment of Syrian refugees and it becomes a potent mix for a moral and economically inspiring state model that could lead to Turkey being the regional normative power as well as a respected international actor.

In terms of Libya, Turkey started out on the wrong side of the argument as to how to approach the crisis. While this caused conflict with NATO countries at first, Turkey did change its stance in a timely enough fashion to maintain its humanitarian reputation within the Arab Street. Certainly, Erdogan is a charismatic figure who is widely respected in the region, but racial divides and old fears of the Ottoman Empire are likely to become the larger driving force in the populaces' reactions than the Premier's personal popularity, when Turkey attempts to implement policies. That doesn't mean that Turkey cannot become a regional power, but it does imply that Turkey will have to rely on tactics that are more substantial than positive public opinion.

I think that both studies show that Turkey is still learning how to flex its power within the region. Proper responses are learned behaviors which require trial and error and empirical experiences. Turkey has shown a great ability to change its behavior once it realizes its error. This is a highly important trait as cunningness and agility are required to deal with the mercurial tensions and

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55 Nick Ottens,2010, "Turkey Awakes as a Regional Power," Atlantic Sentinel, accessed 2/8/2012,http://atlanticsentinel.com/2010/06/turkey-awakes-as-a-regional-power/

56 Tayyip Erdogan. (Prime Minister of the Republic of Turkey), interview by Fareed Zakaria, "Interview with Prime Minister Erdogan," Podcast Video, October 2, 2011, accessed 2/8/2012.

unpredictability of this volatile region. Turkey has shown adeptness at dealing with strife in the region but what really is the issue for the country, I feel, is their usage of soft tactics without any backing up of hard power.

Efficacy through Soft Power

Particularly after the Arab Spring, Turkey's soft power has been highly effective. The country has excelled in Joseph Nye's three primary soft power currencies: culture, policies and institutions.[57] Turkey's policies have perhaps been the most influential. Turkey reached regional acclaim after the notable decision to not support the 2003 war effort in Iraq. The country's popularity continued to propagate after their vocal condemnation of Israel's Gaza war in 2008.[58] Without any coercion and force, Turkey was able to become a regional power contender merely by standing up to the more dominant Western countries. Turkey's attempts at dialogue, principled negotiations, and zero problems policy have shown the country to be restrained, expressing moral character that the Arab populaces find quite appealing, compared to their more authoritative regimes.[59] Other policies of Turkey that exert soft power are its economic accomplishments. Turkey has done exceedingly well in the global market and has shown growth during the great recession, more than most other countries. This has given much credence to Turkey's model of government and policies and has helped spread the perception that Turkey would be a successful normative model. In fact, a TESEV survey conducted in 2012 showed that 78% or 2300 respondents across the Middle East view Turkey very positively, which is higher than any other country that was surveyed.[60]

In terms of cultural, Turkey's soft power has also been influential within the region. Turkish soap operas are wildly popular among the Muslim communities. Turkish TV has been particularly well-received because they have shown that modernity and Islam do not have to be separate identities.[61] This works well for Turkey as modernized Islam is the value that the country espouses. TV shows also offer a personal look into the lives of a culture that is different than one's own. It

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57 Todd Scott, 2012, "Hard Facts About Soft Power." National Business Review, accessed 5/5/2012, http://www.nbr.co.nz/opinion/hard-facts-about-soft-power.

58 Altunsik, "Challenges to Turkey's Soft Power in the Middle East," 2011.

59 Ibid.

60 Baris Ornaly, 2012, "Poll: What Arabs really think about Turkey," Middle Eastern Voices, accessed 5/8/2012. http://www.middleeastvoices.com/2012/02/poll-what-arabs-really-think-about-turkey/

61 Barcin Yinanc, 2012, "Turkey Enjoys Soft Power in Arab Countries," Hurriet Daily News, accessed 5/7/2012, http://www.hurriyetdailynews.com/turkey-enjoys-soft-power-in-arab-countries.aspx?pageID=238&nid=18384

helps to humanize the other culture and decreases the 'them vs. us' mentality and could make Turkey more of a contender for regional power despite being non-Arab.

Turkey also excels at soft power through the use of institutions. Currently there are over 1000 private Turkish schools worldwide and particularly within the Middle East. Turkey has been able to educate many people within the region, increasing the country's outreach and the amount of people who can communicate and do business within Turkey.[62] Turkey has also increased investments and trading with other countries in the region. Creating free trade agreements and easing visa restrictions have led to an increase of trade and travel between the countries. The results of the increase of business have been noticeable, since 2001 trade between Turkey and the Middle East has increased seven times what it used to be, amounting to 31 billion.[63]

However, while Turkey has been effective with its soft power, there are limitations to how effective they can be. When polled, 77 percent of the Arab populace felt that Turkey contributed the most to peace within the region, yet only 60 percent thought that Turkey should be the model country.[64] While a high approval level is significant, it implies that a sizable portion of the region does not want Turkey to be the hegemon. Instead, the countries seem to want to pick and choose aspects of Turkey's economic policies to serve as a model for their countries and to fill in the rest of the gaps with their own cultural preferences. Despite reluctance, however, 70 percent think that Turkey should play a greater role in the Middle East which is essentially what Turkey seeks as well.[65]

Conclusion

The Middle East is a region that has been dominated by hard power. It is this constant conflict and coercion that I believe makes the Arab population so supportive of Turkey's use of soft power. However, the region's instability requires a heavy hand, as evident with Bashar's crackdown, which has been unaffected by outside pressures. If Turkey is to be the regional power, I feel that they

62 Minhac Celik, 2012, "Turkish Schools Behind Turkish Soft Power in the Middle East," Today's Zaman, Accessed 5/7/2012, http://www.todayszaman.com/news-279231-turkish-schools-behind-turkeys-soft-power-in-middle-east.html

63 Amberin Zaman, 2011, "Turkey's Growing Ties with the Arab World." BBC News, accessed, 5/7/2012, http://www.bbc.co.uk/news/business-12290479

64 Ornali, "Poll: What Arabs really think about Turkey," 2012.

65 Ornali, "Poll: What Arabs really think about Turkey," 2012.

will have to be more assertive in their policies. Distrust of Turkish domination, a difference of ethnicities and a general disagreement with secularism would make it more difficult for the Arab populace to accept Turkey as a regional hegemon. Therefore, what it comes down to is how much Turkey desires to be the regional power and at what cost. If the country does decide to enact policies forcefully and unilaterally, I believe the country has the resources, allies and capabilities to do so particularly in the next coming decade. However, before Turkey is accepted internationally, it will need to address its domestic invulnerabilities. In order to be an assertive power Turkey has to attend to the discrepancy between their foreign policy rhetoric and domestic practices. When Turkish policymakers are able to account for this dissonance will they be able to emerge as an internationally supported regional power.

Bibliography

Akyol, Mustafa. 2011. "Turkey's Maturing Foreign Policy." Foreign Affairs.

Accessed 2/6/2012. http://www.foreignaffairs.com/articles/67974/mustafa-akyol/
turkeys-maturing-foreign-policy.pdf

Alessandri, Emiliano. 2010."The New Turkish Foreign Policy and the Future of

Turkey-EU Relations,"Insituto Affari Internazionali. Accessed 2/8/2012.

http://www.iai.it/pdf/DocIAI/IAI1003.pdf

AlJazeera. 2011. "Turkey Imposes Sanctions on Syria." AlJazeera. Accessed 4/9/2012.
http://www.aljazeera.com/news/middleeast/2011/11/2011113083714894547.
html

Altunisik, Meliha. 2011. "Challenges to Turkey's Soft Power in the Middle East."
Tesev. Accessed 5/5/2012. http://www.isn.ethz.ch/isn/Digital-Library/Publi-
cations/Detail/?id=130543&lng=en

Altrunisik, Meliha and Esra Cuhadar. 2010. "Turkey's Search for a Third Party
Role in Arab–Israeli Conflicts: A Neutral Facilitator or a Principal Power
Mediator?" Mediterranean Politics. 15(3).

Accessed 3/5/2012. http://www.tandfonline.com/doi/full/10.1080/13629395.2010
.517101

Atesoglu, Sonmez H. 2008. National Power of Turkey and Other Powers in the
Region. European Security, 17(1), 33-45. doi:10.1080/09662830802503698

Barkey, Henri. May 12 2011. Interview by Charlie Rose,"A discussion about Tur-
key." Podcast Video. Accessed 2/8/2011. http://www.charlierose.com/view/
interview/11671.

Bertie, Bernadette. 2012. "Turkey's Dilemma: How to Act on Syria without Losing
Soft Power." E-International Relations.Accessed 4/9/2012. http://www.e-ir.
info/2012/03/24/turkeys-dilemma-how-to-act-on-syria-without-losing-soft-
power/

Bilefsky, Dan. 2012. "Despite Bold Talk on Syria Turkey Sees Limits of its Power."
New York Times. Accessed 3/5/2012. http://www.nytimes.com/2012/03/17/

world/europe/despite-bold-talk-on-syria-turkey-sees-limits-of-its-power. html

Brzezinski, Zbigniew. 2012. Strategic Vision: America and the Crisis of Global Power. New York: Basic Books. Kindle Edition

Bulent ,Aliriza et al. March 2009. "Turkey's Evolving Dynamics." Center for Strategic and International Studies. Accessed2/8/2012. http://csis.org/files/ media/csis/pubs/090330_flanagan_turkeyevolvingdynamics_web.pdf

Burns, Nicholas. 2012. "The Rise of Turkey as a Superpower." Belfer Center. Accessed 4/9/2012 http://belfercenter.ksg.harvard.edu/publication/21970/ rise_of_turkey_as_a_superpower.html?utm_source=feedburner&utm_medi- um=feed&utm_campaign=Feed%253A+belfer%252Fpublications+%- 2528Belfer+Center+for+Science+and+International+Affairs+-+Latest+- Publications%2529

Celik, Minhac. 2012. "Turkish Schools Behind Turkish Soft Power in the Middle East." Today's Zaman. Accessed 5/7/2012. http://www.todayszaman.com/ news-279231-turkish-schools-behind-turkeys-soft-power-in-middle-east. html

Celikpana, Mitat. 2007. "Turkey as a Regional Power and the Caucasus." Aca- demia 9(2): 25-30. Accessed 2/8/12. http://khas.academia.edu/MitatCelik- pala/Papers/720310/Turkey_as_a_Regional_Power_and_the_Caucasus

Central Intelligence Agency. 2011. "Middle East: Turkey." The World Fact- book. Accessed 3/5/2012. https://www.cia.gov/library/publications/the- world-factbook/geos/tu.html

Cornell, Svante. 2012. What Drives Turkish Foreign Policy? Middle East Quar- terly. 19(1):13-24. Accessed 3/5/2012. http://www.meforum.org/3129/turk- ish-foreign-policy

Economist. 2011. "One Problem with a Neighbor." Economist. Accessed 4/10/2012. http://www.economist.com/node/21526406

Ellis, Burcu. 2011. Professor at San Francisco State University. Interviewed by Alana Coryell. Digital recording. Nov. 28, 2011.

Eran, Oded. 2011. "Israel: Quo Vadis, Turkey?" Insight Turkey 13, no. 4: 31-38.

Erdogan, Tayyip (Prime Minister of the Republic of Turkey), interview by Fareed Zakaria, "Interview with Prime Minister Erdogan," Podcast Video, October 2, 2011. Accessed 2/8/2012. http://globalpublicsquare.blogs.cnn.com/?s=erdogan.

Friedman, George. 2011. "Turkey's Elections and Strained U.S. Relations." Stratfor Global Intelligence. Accessed 2/8/2012. http://www.stratfor.com/weekly/20110613-turkeys-elections-and-strained-us-relations

Ghosh, Bobby, and Pelin Turgut.(2011). "ERDOGAN'S MOMENT." Time 178, no. 23: 38-43.

Icener, Erhan and Zeynab Cagliyan-Icener. 2011. "The Justice and Development Party's identity and its role in the EU's decision to open accession negotiations with Turkey." Southeast European and Black Sea Studies. Accessed 3/5/2012. http://www.tandfonline.com/doi/abs/10.1080/14683857.2011.556426

Iseri, Emre and OguzDilek. March 2011. "The limitations of Turkey's new Foreign Policy Activism in The Caucasian Regional Security Complexity."Turkish Studies. 12(1): 41-54. Accessed 3/5/2012.

Kardas, Saban. (2011). "Geo-strategic position as leverage in EU accession: the case of Turkish-EU negotiations on the Nabucco pipeline." Journal Of Southeast European & Black Sea Studies, 11(1), 35-52. doi:10.1080/14683857.2011.558721

Kirisci, Kemal. 2006. "N°92." Institute for Security Studies.Accessed 2/8/2012. http://www.iss.europa.eu/uploads/media/cp092.pdf

Larrabee, F..(2011). The 'New Turkey' and American-Turkish Relations. Insight Turkey 13, no. 1, (January 1): 1-9. http://0-www.proquest.com.opac.sfsu.edu/ (accessed February 25, 2012).

Ornali, Baris. 2012. "Poll: What Arabs really think About Turkey." Middle Eastern Voices. Accessed 5/8/2012. http://www.middleeastvoices.com/2012/02/poll-what-arabs-really-think-about-turkey/

Ottens, Nick. 2010. "Turkey Awakes as a Regional Power." Atlantic Sentinel. Accessed 2/8/2012. http://atlanticsentinel.com/2010/06/turkey-awakes-as-a-regional-power/

Ozel, Soli. 2011. "Changing the Debate Over Turkey." Reset DOC. Accessed 4/3/2012. http://www.resetdoc.org/story/00000021749

Pitman, Paul. 1987. Turkey a country study. Washington, D.C.: Library of Congress Cataloging-in-Publication. Representative of Foreign Affairs. 2012. "Relations Between Turkey-Syria." Republic of Turkey Minsitry of Foreign Affairs. Accessed 4/3/2012. http://www.mfa.gov.tr/relations-between-turkey%E2%80%93syria.en.mfa

Reporters Without Borders. 2013. "Press Freedom Index." Accessed 3/13/2013. World Press Freedom Index. Accessed 3/13/2013. http://en.rsf.org/press-freedom-index-2005,549.html

Scott, Todd. 2012. "Hard Facts about Soft Power." National Business Review. Accessed 5/5/2012. http://www.nbr.co.nz/opinion/hard-facts-about-soft-power

Stratfor (2011). "The Geopolitics of Turkey: Searching for more," Stratfor Global Intelligence, 8/2/2011, http://web.stratfor.com/images/writers/STRATFOR-TurkeyMonograph.pdf (accessed November 25, 2011).

Tonkas, Selen. 2009. "Turkish-Syrian Crisis of 1998 and its Aftermath." Orsam. Accessed 5/8/2012. http://www.orsam.org.tr/en/showArticle.aspx?ID=201

Traynor, Ian. 2011. "Turkey and France Clash over Lybian Air Campaign." The Guardian. Accessed 3/5/2012. http://www.guardian.co.uk/world/2011/mar/24/turkey-france-clash-libya-campaign

Ulgan, Sinan. 2012. "A Transformed Turkey: What is the Role for Ankara as a Regional Power?" Sais Review.32 (2)41-50. Accessed 3/13/2013. http://ge.tt/8ZwSG6a/v/0

Yinanc, Barcin. 2012. "Turkey Enjoys Soft Power in Arab Countries." Hurriet Daily News. Accessed 5/7/2012. http://www.hurriyetdailynews.com/turkey-enjoys-soft-power-in-arab- countries.aspx?pageID=238&nid=18384

Zakaria, Fareed. 2011. "Interview with Prime Minister Erdogan," Podcast Video, October 2, 2011, November 25, 2011, http://globalpublicsquare.blogs.cnn.com/?s=erdogan.

Zakaria, Fareed. 2010. (Host of GPS on CNN), interview by Het lees, Dutch Interview "unknown," Podcast Video, October 2007, November 25, 2011.

http://tegenlicht.vpro.nl/afleveringen/2007-2008/turkije-het-dilemma-van-de-democratie.html.

Zaman, Amberin. 2011. "Turkey's Growing Ties with the Arab World." BBC News. Accessed 5/7/2012. http://www.bbc.co.uk/news/business-12290479