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REDEFINING SOVEREIGNTY & LEGITIMACY

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Hemispheres, the Tufts University Undergraduate Journal of International Affairs, is the oldest academic publication of its kind. In 1975, under the direction of an energetic group of students including Sashi Tharoor, the future undersecretary-general of the United Nations, the Fletcher School of Law & Diplomacy at Tufts established the *Fletcher Forum of World Affairs*. Motivated by the *Fletcher Forum's* success, in 1977 students in the Tufts undergraduate program in International Relations established their own academic journal of international affairs. In 2007, *Hemispheres* celebrated its 30th anniversary as the premier publication of one of the most prestigious international affairs programs in the country.

Throughout its history, *Hemispheres* has remained committed to publishing research-length articles, photo-essays, and editorials of the highest academic caliber. The Journal has become a reflection of our changing world. In the 1970s, *Hemispheres* principally focused on Cold War issues, discussing the validity of neo-realist, bi-polar relations and Realpolitik. In the spring 1978 issue, renowned international affairs theorist Stanley Hoffman (Harvard) argued about the merits and failures of "Eurocommunism." In the fall 1982 edition, Kosta Tsipis (MIT) and Robert Pfaltzgraff (Tufts) debated options of "how to enhance American security and prevent a nuclear holocaust." The 1990s witnessed a redirection in *Hemispheres's* aims, shifting away from a technical focus in favor of raising awareness within the Tufts community of contemporary international issues. Now at the beginning of the second decade of the twenty-first century, *Hemispheres* has shifted its role once again, this time as a premier voice in undergraduate international affairs education, research, and debate. We are proud that *Hemispheres* is distributed both in print at major research libraries and online via EBSCO Host, a first for journals of its kind. It is an extraordinary time to be a part of this outstanding publication.

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Editors' Note

For the 36th issue of *Hemispheres*, our editorial staff sought to choose a theme that could broadly capture the most significant and the most dynamic developments in current international affairs. Sovereignty and legitimacy are fundamental concepts that have existed since the most primitive organizations of human society, but the various ways in which they have been reimagined over the centuries have defined the nature of the international arena. Today, digital communication continues to erode the significance of physical borders as states struggle to defend their networks from cyber attacks and their data from theft. Events like the Arab Spring demonstrate the ways in which technology has already altered the relationship between state and citizen, while non-state actors wield an increasing amount of influence on the world stage. Meanwhile, the United Nations has gone so far as to explicitly redefine sovereignty as a responsibility, rather than a right. This shift in norms is also evident in the recent interventions in Libya and South Sudan.

This year's journal has confronted these complex issues in profound and often unexpected ways. Author Mae Humiston expands the definition of national sovereignty to include the dimension of food choice, while authors Sam Sussman and Lorand Laskai discuss the results of their original field research focused on Chinese students' attitudes toward the legitimacy of international institutions. In a candid interview, Central Intelligence Agency veteran Melvin Goodman offers bold criticism for the American intelligence community. The striking imagery in this year's photo exploration offers readers a visual connection to protest movements around the world. It is our hope that the diverse set of voices published here will stimulate conversation and further the debate on sovereignty and legitimacy.

We are sincerely grateful to all those involved in the production of the 36th volume of *Hemispheres*. First, we would like to thank the authors without whose superb scholarship *Hemispheres* would not be possible. We would also like to thank the Tufts International Relations Department for their unwavering support. Finally, we would like express our gratitude to our extraordinary editorial board whose dedication, thoughtful critiques, and tireless efforts have made this a truly remarkable volume.

Mark Eisenberg & Eugene Steinberg

Articles

Evolving Beyond: *The International Community and the Applicability of Sovereignty in the Twenty-First Century*

Grace Rosinski, *Northeastern University*

Abstract

Arguably the most defining term in international relations discourse is sovereignty. Questions of who deserves it, what defines it and when can it be overruled have dictated global power structures for centuries. But as the international community moves further into the twenty-first century and begins to solidify aspirations for a global society, has sovereignty become an antiquated term? This paper seeks to explore the many definitions of sovereignty, and the type of world each concept creates. After an analysis of the terms, this essay will analyze the strength of sovereignty in current society, before positing that we as an international community must move beyond the limitations of this idea in order to progress toward a more just and global society.

“It is worshipped like a god, and as little understood.”¹

With these words, the concept of sovereignty is perfectly embodied. Designed as a model for interaction between nation-states, sovereignty has guided international relations discourse for hundreds of years. The notion influences almost every aspect of national and international governance, as sovereignty defines the legitimacy of governments, decides the effectiveness of international law and dictates the status of states in the international community. Some champion the notion of sovereignty, arguing that it is a necessary concept for ordering our global community, while others blame sovereignty for making the twentieth century the bloodiest period in history.²

But what does sovereignty actually mean in the twenty-first century? It appears on face that it is a fluid concept, one that is upheld or violated by individual states depending on selfish motivations. Powerful nations can often be observed intervening in the affairs of another state, violating its sovereignty, under the auspices of “international peace building” and a fight for stability. In modern international code, sovereignty is defined relatively strictly; the United Nations Charter describes it as such:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.³

But as the world becomes more globalized and world affairs are increasingly dictated by actors outside traditional nation-states, it is time to reconsider the way in which we conceive of sovereignty and whether it is still an appropriate term to guide our international relations discourse. The international community is slowly evolving away from a focus on the state, and toward the idea of the individual as the main actor in global society; international legal codes are expanding and supranational authorities such as the European Union are strengthening; the web of globalization is interlinking peoples and societies in a way that makes territorial definitions obsolete.

The intent of this essay is to conduct a concise review of the many understandings of sovereignty that have developed over the last several hundred years, and simultaneously to question the solvency and applicability of these theories on twenty-first century society. Following this exploration will be an analysis of how the concept of sovereignty is being challenged in modern society, ultimately leading to the conclusion that it is an archaic concept. Sovereignty as an idea was developed to help define interstate interaction in the seventeenth century after the entire international system was drastically altered during the Thirty Years' War. While classic sovereignty was an appropriate descriptive framework for that era, the structure of our international system has evolved to make pre-existing concepts of sovereignty inappropriate. It is necessary to abandon outdated paradigms in order to fulfill the potential of our progression and aspire toward a more open global society.

Sovereignty Defined

Classic Sovereignty

The earliest definition of sovereignty describes a state with decisive and absolute authority, concentrated in the hands of a sovereign. Commonly referred to as *classic sovereignty*, this theory has origins as early as the sixteenth century, with thinkers such as Jean Bodin in *On Sovereignty* and Thomas Hobbes with *Leviathan* describing a world system in which there was no authority greater than the sovereign state.⁴ While the theory existed prior to 1648, the Peace Treaty at Westphalia is widely regarded as the starting point of the system of classic sovereignty and the establishment of an order that informed international politics and affected the structuring of society up to the twentieth century.⁵

It is important to grasp several factors inherent to the theory of Westphalian sovereignty to understand the development of this system over several

centuries and its relation to the international society of the 21st century. First, classic sovereignty recognizes both “internal” and “external” sovereign rights, with internal sovereignty allowing for a concentration of authority for a leader over his own territory, and external sovereignty meaning that there is no greater sovereign that could dictate the internal affairs of a nation-state.⁶ This system also makes all sovereign states equal within the international community, a norm that was gradually codified in the development of international law during the eighteenth and nineteenth centuries.⁷ State governments would be able to implement domestic policies without needing to justify them to the international community in any meaningful sense, and states would be theoretically safe from wanton foreign intervention.

Modern international affairs scholars do not dispute the fact that classic sovereignty has been outdated. (Later in this section, we will explore the ways in which academics have redefined classic sovereignty to be more applicable to our changing world.) The motives and structures of even the nineteenth century world, let alone the seventeenth, were so starkly different than today that, on face, it seems obvious that Westphalian sovereignty would be a useless paradigm with which to study international relations. Following World War Two, international society began to rapidly restructure, with the decolonization movements of the twentieth century, the expansion of economic globalization, the rise of multinational corporations and transnational non-governmental organizations, and the development of a body of international human rights law being just a few of the changes. In our globalized society, nation-states are no longer the only actors, nor are they even the most authoritative, and so a paradigm founded on the anarchy of sovereign nation-states is ill-fitting as it does not, and cannot, account for these new groups and organizations.

But beyond just the structural inadequacy of classic sovereignty, scholars have also argued that Westphalian sovereignty or Hobbesian sovereignty was never designed to describe the functioning of an international system. Nancy Stanlick in her article “A Hobbesian View of International Sovereignty” illuminates this truth by explaining the fundamental logic behind Hobbes’ system of sovereignty. Hobbes justified the institution of a centralized sovereign in order to counteract the chaos and natural state of war that exists between individuals.⁸ He draws a distinction between the state of nature of individuals and that of sovereign states in their power and incentives.⁹ The application of classic sovereignty to an international system where states are equated to individuals would remove all the authority from Hobbes’ argument in that state sovereignty would be automatically undermined: sovereign authority meant that there was no greater power.¹⁰ The creation of an international sovereign, such as the United Nations, would just shift the system up a level, turning world leaders into the individual citizens of a global sovereignty, which then would fail to address the uniqueness of the states and the differences between domestic and international affairs. The inability for classical sovereignty to adapt and incorporate the existence of international institutions that hold

authority over states is the main reason it is an outdated framework through which to prescribe global behavior.

The lesson to take from classic sovereignty is that we must redefine our terms as the world changes. Westphalian sovereignty was established to redefine the seventeenth century world as international society drastically restructured in the aftermath of the Thirty Years' War. Our international community, that of the twenty-first century, is restructuring and it is time to let our understanding and language evolve as well. The question then becomes whether or not the evolution necessitates a simple redefinition of sovereignty or the construction of a completely new understanding of state existence and interaction.

Liberal International Sovereignty

A movement to redefine sovereignty away from the classic, Westphalian definition began in the late nineteenth century. The period of industrial revolution and rapid economic expansion during this time quickly opened the world, with new technologies connecting populations and new markets being created for capitalist ventures. The growth of a new globalized society brought with it increased international awareness of global human rights, and treaties were established to mandate liberal behavior by nation-states, such as the Geneva Convention of 1864 and the Hague Convention in 1899, both of which regulated the treatment of prisoners and soldiers during times of war.¹¹ The creation of international codes and standards of behavior immediately questioned the power structure of classic sovereignty, as suddenly there was an "authority" above and beyond the nation-state, a body of law collectively agreed to by the majority of the international community, and so the understanding of what sovereignty meant needed to be reconsidered.

The result is a paradigm known as *liberal international sovereignty*. David Held in his article "Law of States, Law of People: Three Models of Sovereignty" describes this redefinition as a movement away from the idea of total control toward the concept of a "maintenance of basic standards or values, which no political agent, whether a representative of a government or state, should, in principle, be able to abrogate."¹² Essentially, a system of liberal international sovereignty hold states accountable to a higher standard of human rights that, if violated, would justify the loss of legal sovereignty for the violating state.¹³ Scholars who support this redefinition do so with a desire to transform the meaning of legitimacy to apply only to governments that adhere to the international liberal code, a drastic shift away from classic sovereignty, which basically used "sovereignty" to justify government action, even when this included atrocities against populations.

Compared to the system of classic sovereignty, the redefinition to liberal international sovereignty is an improvement on the way in which sovereignty is conceived in the twenty-first century. This new definition accounts for the development of international law and obligations beyond the nation-state, as well as the role of the individual in the international community, which makes

it more fitting in a world that is less a system of states and more a global community, one with powerful non-state actors (such as terrorist organizations) and multinational organizations. Even so, there are still several issues with this new definition of sovereignty that make it problematic for our evolving system. First, it fails to deal with the issue inherent to any form of sovereignty in that there is no way to properly apply it to states. The problem with classic sovereignty was that all nation-states were considered equal, which ignored the issue of human rights violations and political stability. The problem with liberal international sovereignty is that it conditions sovereignty on behavior, but struggles to define that behavior. Even if an objective definition of what action constitutes a loss of sovereignty could be agreed upon and codified into international law, the application of the law would inevitably be subjective and based on power politics. The entire system demands adherence to the tenets of liberalism and democracy, which disadvantages nations who do not have a legacy of democratic development. Through this, liberal international sovereignty creates a global environment that cares more for democracy than for the development of stable states, regardless of government structure. Considering state-building is more effective when it does not attempt to dictate government structure in opposition to cultural norms,¹⁴ it is important to prevent a standard of sovereignty that essentially requires democracy. What would result is a problem similar to the system of post-liberal sovereignty, in which some states can hide behind a more classic definition of sovereignty while “legitimately” violating the sovereignty of other states.

A final issue with liberal international sovereignty is that it fails to incorporate non-state actors into the global society. This is a problem inherent to the system of sovereignty itself, but is highlighted here due to the goals of liberal international sovereignty, namely the protection of human equality and dignity. While liberal international sovereignty can at least attempt to regulate the action of nation-states through the threat of losing one’s sovereignty, it fails completely to regulate multinational organizations and corporations, who can continue to violate the “sovereignty” of states with no real repercussion. The full extent of this harm will be elaborated on in a later section on globalization.

When attempting to define and redefine sovereignty, the main issues arise from the difficulty of reconciling a seeming obligation to intervene to protect human rights while also preserving political autonomy and power. The next academic movement tries to grapple with this bind.

Post-Liberal Sovereignty

British academic David Chandler, in his monograph *International State-building: The Rise of Post-Liberal Governance*, provides an understanding of sovereignty that is arguably the most dissimilar to the definition of “classic sovereignty.” While this complex work primarily discusses the legitimacy and efficiency of state-building interventions in the 21st century, the author

simultaneously presents a redefinition of sovereignty, one to fit what he calls the “post-liberal” world. A clear understanding of what is meant by “post-liberal” is slightly obscured by the excessive verbosity of the text, but the easiest way of understanding Chandler’s new paradigm of international relations is by comparing what a “post-liberal” world would look like to “liberalism” and “neo-liberalism,” concepts that have been more thoroughly defined in the publications of the last century. While “liberalism” as a paradigm promotes a re-strengthening of sovereignty along the lines of liberal ideology, democracy and human rights protection and “neo-liberalism” advocates a weakening of government in deference to market forces, “post-liberalism” rejects the framework of both these viewpoints.¹⁵ In regards to sovereignty, “post-liberalism” abandons the sanctity and autonomy of government in favor of the idea of governance, or the capacity of a state government to operate,¹⁶ essentially stripping the state of any assumed independence and reducing it to an “administrative and technical” system.¹⁷ Chandler argues that “the most important conceptual shift” between liberalism and post-liberalism is in the defining of sovereignty.¹⁸

What Chandler essentially attempts to do is separate the concept of autonomy from the definition of sovereignty. The unique thing about David Chandler and his argument is that he fully acknowledges the changing nature of international politics and the ways in which globalization has restructured the international order away from the original “Westphalian” system. He argues that globalization has led to a “problematization of autonomy,”¹⁹ and accepts that effective solutions in state-building and the development of international governance have been thwarted by defaulting to a protection of autonomy. Given his coherent understanding of the issues facing modern global society, Chandler disappoints with his proposed redefinition of sovereignty and his vision for the “post-liberal” world.

His planned redefinition is implemented through three steps: first, sovereignty should no longer be considered an absolute right, but rather a “capacity” that a state has, thus creating a “hierarchy of variable sovereignty.”²⁰ Second, with sovereignty redefined as a capable responsibility, international mechanisms can be established to control the solvency of a state without violating any autonomy, for that no longer exists.²¹ Finally, the role of international judicial sovereignty would be solidified and protected as a separate entity from sovereign autonomy.²² What this last step means is that if a state’s autonomy is being violated through foreign intervention, the international sovereignty and international legal standing of that state would be unaffected; the state would still be an independent actor in international organizations such as the United Nations.

The immediate problem with Chandler’s approach is that he continues to operate in a framework that is governed by “sovereign” states. While he redefines sovereignty to no longer include the protections of self-government and autonomy,²³ his argument fails to adapt to the reality of increased power in the hands of non-state actors. One of the main issues with keeping sovereignty

as part of our international affairs discourse is that it cannot be uniformly applied to *all* international actors, making it a manipulative and damning force. Chandler's ideology exacerbates these inconsistencies even further with his first step of redefinition, in which he admits a goal of creating a varied hierarchy of sovereignty, in which "some states are considered to be more sovereign than others."²⁴ He argues that this new system would allow for more legitimate state-building interventions, as the intervention would be justifiable in order to help failing states fulfill their sovereignty potential.²⁵ But this fails to address a larger issue, which is that state-building interventions, even if not actually driven by these aims, are at least often *perceived* to be neo-imperialistic encroachments by the West, in the same way that isolated events are often hyperbolized into global risks.²⁶ Increasingly, governments have used the excuse of globalization to justify international intervention, as tensions and conflicts are no longer confined within the borders of a sovereign state but risk impacting the global community.²⁷ A recent example of this is the decision of France to begin air strikes on 11 January 2013 against rebels in Mali in order defend against the creation of a terrorist state.²⁸ This pre-emptive military action bears the same justification as much of the "Global War on Terror": the control and containment of terrorist activities. States, using the excuse of self-defense in a dangerous globalized society, have already naturally established a hierarchy of sovereignty, in which they use sovereign defense to justify action that violates the sovereignty of other states. What Chandler accomplishes through his redefinition is simply an *institutionalization* of the hierarchy, which if anything would confer more power to traditionally stable states and further polarize the international community into the archaic binary of "developed" versus "developing" worlds.

Chandler attempts to abolish the concept of sovereignty as a right, and thereby solve the problem of autonomy in a globalized world. Unfortunately, his analysis is limited by the fact that he continues to work in a classic framework of sovereign states. This new definition of sovereignty allows the "international community" to determine what capacities equate a fulfillment of "sovereignty" and creates the risk of abuse when trying to create an objective metric of when a state is "sovereign," if that is even possible on such a large scale.

The next body of theory regarding sovereignty draws influence from both liberal and post-liberal interpretations of sovereignty in an attempt to re-craft the allocation of power, but runs into similar issues to the ones associated with preceding redefinitions of classic sovereignty.

Cosmopolitan Sovereignty

A final mutation of sovereignty is known as *cosmopolitan sovereignty*. Dating back several centuries, the broader movement of *cosmopolitanism* promotes the creation of a singular global community to which all individuals belong and in which all live under a singular standard of law. Modern scholars have extrapolated from this theory to redefine sovereignty, rejecting the structure of nation-states entirely. David Held describes cosmopolitan sovereignty as

“sovereignty stripped away from the idea of fixed borders and territories governed by states alone, and is instead thought of as frameworks of political relations and activities, shaped and formed by an overarching cosmopolitan legal framework.”²⁹

The promotion of individualism and universality, paired with respect of a coherent international judicial system, appears to be the perfect normative framework around which to structure global society in the coming decades. Cosmopolitanism properly acknowledges the role of multinational organizations and non-state actors and accounts for elements of globalization in ways that the previously discussed redefinitions have failed to do. Beyond this, cosmopolitanism respects the twentieth century development in what it interprets the source of sovereignty to be: classic sovereignty placed all authority in the leadership, but during the twentieth century, the individual citizen was increasingly recognized as the fount of sovereignty, and the actor whose approval would grant sovereignty to the state. The impact of this shift can be seen in the code and constitutions developed during the period, such as the 1958 French constitution, which states: “National sovereignty shall belong to the people who shall exercise it through their representatives and by means of referendum.”³⁰ The structure of the European Union also respects the individual in that delegates to the European Parliament are elected by popular vote, and not appointed by heads of state,³¹ thus transferring power down to the citizen.

However, cosmopolitan sovereignty experiences a similar problem to liberal international sovereignty in that it equates sovereignty with legitimacy and legitimacy with liberalism. The harms of this system, of subjectivity in international law and the creation of a hierarchy of sovereignty, have already been mentioned, but defining sovereignty in this way undermines the coherency of cosmopolitan sovereignty. John Oates in “Cosmopolitan Sovereignty: Representing Humanity and the Architecture of the Human Rights Regime” describes the detriment of mandating liberalism. He argues that most modern nation-states currently derive their sovereignty and legitimacy from popular mandate, but this requirement of liberalism would shift constituent power away from individuals and grant it to the body of international law.³² This is done with the intent of removing power from the states so that individual liberty can be protected, but how would this translate to the real world and a world with, in the least, administrative systems to govern individuals? Cosmopolitanism, in order to be a viable definition of sovereignty, would need to incorporate at least some type of state-level governance, even if it was simply administrative.

Scholars of cosmopolitan sovereignty attempt to answer this question by advocating a system of decentralized authority. In this new system, states would be organized with a vertical dispersal of power, meaning that different authorities would exist on numerous levels, such as in the form of national, provincial and local governments.³³ Thomas Pogge in “Cosmopolitanism and Sovereignty” advocates for this restructuring based on the broad argument

that there is nothing innate to a national government that makes it uniquely capable of making decisions for its citizens, and therefore there is no reason why the power and decision-making authority cannot be split to multiple levels.³⁴ This decentralization would create a system of checks and balances in which no one level could monopolize judicial, legislative or military authority, thereby guaranteeing the protection of individual liberty.

But how does this decentralization actually help to universalize society? In Pogge's article and in work by other scholars, such as Holli Thomas' paper "Cosmopolitan Sovereignty," there are just repeated assertions that a dispersal of sovereignty above and below the traditional state will automatically lead to a "pooling of sovereignty" into international organizations and legal frameworks.³⁵ But why would this occur naturally? If sovereignty as a legal status continues to be respected when states behave democratically and in line with Western-defined liberal norms there is no institutionalized mechanism to stop states from hiding behind the justification of sovereignty in cases of intervention. Cosmopolitan sovereignty, although noble in its support of human rights and individual dignity, fails to restructure global power systems in any meaningful way.

The uniting theme amongst these competing definitions of sovereignty is that all the scholars continue to use antiquated terms in their attempt to engage with a new international framework. In our globalized society, it is no longer productive to try and uphold any sort of independence or inherent worth to the nation-state system; rather, scholars should draw upon their evidenced liberal leanings, imagine an ideal for the world, and create a terminology to match. Even cosmopolitan theorist Ulrich Beck recognizes the value in this when he writes that we need a "different social-scientific grammar in order to grasp and explain . . . a world that no longer corresponds to the image of actively self-reproducing its structures and systems."³⁶

Does Sovereignty Exist?

Michael Foucault in a lecture at the Collège de France on 10 January 1979 began his talk with a critique of historicism, in which he condemns scholars who start with a universal theory and then analyze how the world fits the model; rather, Foucault advocated for an analytical approach that looks to the empirical world and shows how concepts were born from practice.³⁷ This idea is linked to the concept of sovereignty in that, too often, scholars approach sovereignty as a natural concept, one that allowed the birth of the state, opposed to the reality that sovereignty was a concept crafted to fit a specific system of nation-states. Now that we have established what the many definitions of sovereignty have been and are in the twenty-first century, it is important to question whether or not our current international system is even hospitable to sovereignty, of any form. This inquiry will be simply structured: first, we will define the modern phenomena that undermine sovereignty, chiefly globalization and state-building intervention. Then we will analyze if any of the

redefinitions explored earlier can account for these forces before finally questioning the applicability of sovereignty in any of its forms and whether we should instead abandon the concept and establish new terms.

The Impact of Globalization

The process of globalization is one that has been rapidly spreading over the course of the last century. States have become increasingly interconnected as they are motivated by economic incentives to open markets and improve communications, as well as incentivized by liberal moral consciences to seek out and eliminate cases of human rights abuse. With the advent of globalization came the establishment of forces outside the state system, being transnational, multinational and non-governmental organizations. These come in a variety of forms, from corporations to human rights groups to legal and diplomatic structures such as the United Nations. These organizations are often wealthy, well-organized and established in the global community, more so than many developing nation-states. While the development of international organizations has had many positive impacts on the world, through development and human rights protection, they inherently undermine state sovereignty, especially in the case of multinational corporations.

Non-state actors remove autonomy and authority from the nation-state in several ways. First, multinational corporations erode the economic power of a state by effectively controlling market forces, currency values and country wealth.³⁸ Arguably, in order to maintain autonomy, states must be able to guarantee economic stability in order to then guarantee levels of political and social stability. The power of multinational corporations in the world economy removes choice from many governments. While more powerful nations such as the United States and collectives like the European Union may be able to balance power through regulation and market restrictions, developing nations, especially those in the early stages of capitalist development, are vulnerable to these corporations. Second, these powerful organizations are often able to dictate domestic policy in ways that violate individual liberty, by pressuring weak or corrupt governments. This is demonstrated, for example, in the relationship between oil companies like Chevron and Royal Dutch Shell and the Nigerian government. These oil companies manipulated the corrupt government to gain access to the Niger delta, an area rich in natural oil resources, and then proceeded to disregard the individual sovereignty and liberty of the native Ogoni people. When members of the Ogoni tribe staged a peaceful protest in 1995 to draw international attention to the environmental harms and human destruction caused by these oil companies, Royal Dutch Shell pressured the Nigerian government to send military forces to the region, where they brutally repressed the people.³⁹ Tragedies like this highlight the ways in which powerful companies can usurp the political autonomy of nations.

Not-for-profit non-governmental organizations (NGOs) dedicated to developing international law and human rights protections also dismantle state sovereignty. As individual citizens become more aware of the world and

the work of these organizations, situations can arise in which the NGOs are promoting a different, occasionally more liberal, standard of justice than is accessible within specific nation-states. These competing systems of justice, such as the dichotomy between the Universal Declaration of Human Rights and state judicial systems that codify gender inequality, undermine authority when citizens lose faith in the legitimacy of their government. Alan Cranston describes the effect that NGOs have on thought when he writes: "forces generally responsible to no one, haphazardly moving across national boundaries and transcending traditional sovereign sensibilities, are transforming and homogenizing far-flung and once remote cultures, lives, and the spending and thinking habits of billion of people."⁴⁰

This sentiment, specifically the idea of transnational organizations being responsible to no one, leads into a question of whether a sovereignty framework can account for these non-state actors. On face, classic sovereignty fails in this, as the theory is based on a framework consisting solely of nation-states in a world where no force is superior or over-arching. Looking then to liberal international sovereignty, there is slightly more promise in this redefinition, considering liberal international sovereignty accepts the reality of globalization. But the problem still, one that also afflicts the paradigms of post-liberal and cosmopolitan sovereignty, is that these redefinitions of sovereignty focus only on dictating the behavior and legitimacy of state actors, without accepting the primacy of non-state actors. Sovereignty only has meaning when it is a defining force, meaning when it protects the legitimacy of states, or under liberal thought, demands intervention. The fact that no redefinition of sovereignty can categorize non-state actors leads inherently to an international system in which some actors are operating within the boundaries of sovereignty, while others disregard its limitations and protections entirely.

More importantly though, a system of sovereignty can *never* be applied to non-state actors. NGOs and multinational corporations do not have the same obligations as a nation-state, nor do they have the same objectives, with business objectives and market goals replacing rights protection and governance. While the government of a nation-state is incentivized to respect systems of sovereignty and international law in order to maintain legitimacy, transnational organizations do not have the same moral obligation, but are instead driven by market incentives, profit, or ideological fulfillment in the case of NGOs. Globalization has led to an unbalanced world, where non-state actors can skirt the responsibilities of international order while states are bound by the requirements and incentives of sovereignty. Sovereignty only has purpose if it is respected, something that is not guaranteed when it is not evenly applied across *all* actors, and so it cannot meaningfully exist.

But globalization has introduced more than just a new classification of political actor, and it has drastically augmented the exchange and flow of information. Within just the past two decades, innovation in telecommunications and the Internet has expanded the web of knowledge beyond just the developed world, allowing individuals access to political and social thought

that was never before as readily available. This “new media” movement, a phenomenon in which individuals can contribute to international discourse through social media sites like Facebook and Twitter, has aided the disillusionment of some populations and led to the overthrow of “classic sovereign” states. The best example of the use of “new media” to undermine political autonomy is the Arab Spring movement of 2011, during which citizens of Egypt, Libya, Tunisia, etc. were able to organize and question the legitimacy of their authoritarian leaders.

This movement was a triumph for liberalism, but this uncontrollable flow of information and communication has broader implications on sovereignty. Under a classic definition, sovereignty is severely threatened as governments no longer have absolute authority – the citizens can choose whichever ideology they want. Sovereignty is lost when elections are controlled by the opinions and punditry of a global audience, and not just the voting population. Even with the post-liberal redefinition of sovereignty from government to governance and a focus on legitimacy, sovereignty is feeble, as governments can now be criticized by millions of people from diverse political, economic and social backgrounds, making an objective standard of “legitimacy” near impossible to establish. The world is exploding into a web of global interconnection, and an attempt to apply a grid of sovereignty on top of the chaos is an archaic way of defining the system.

International Intervention

International state-building has been an element of global interaction for centuries. Originally, these operations were inspired by lust for conquest, colonization or economic expansion, but over the course of the twentieth century, with both the rise of globalization and the development of a body of international law, new incentives for intervention were created. Globalization created the world just described, one in which actors no longer heed territorial borders and where information and events have a global ideological impact far beyond a physical locale. The example most commonly cited in recent scholarship is the terrorist attacks on 11 September 2001 on the World Trade Center in New York City and the Pentagon in Washington, DC. For all descriptive purposes, this was an isolated event, an act of hatred perpetuated specifically against the United States; however, the subsequent Global War on Terror and international effort of counterterrorism in the Middle East and beyond is a product of globalization.

What this means is that states can now use globalization as a justification for international intervention. This concept was explained in the section on post-liberal sovereignty, and is important to the argument that international intervention naturally undermines sovereignty. States in the twenty-first century have naturally established a pattern where it is legitimate, at least through popular mandate, to violate the sovereignty of other nations in the name of self-defense. Even the application of classic sovereignty, in which all states are considered equal from an international perspective, provides no protection to

the nation-states seen as “dangers” to the international community, often simply because they are the geographic base for a non-state terrorist organization. Under the liberal and post-liberal framings of sovereignty, this intervention is actually encouraged, in order to promote the tenets of democracy and human equality, leading to the institutionalization of a hierarchy of sovereignty, in which some states are naturally more “sovereign” than others. This inequality has all the same issues associated with the inequality between nation-states and non-state actors, but made worse by the fact that there can be no legitimate, objective legal definition of when a state loses sovereignty without risking the appearance of neo-imperialism and ethnocentrism.

What does all of this mean? The answer to that depends on one’s vision for the future of the international community. This essay strives to promote a very particular ideal, one in which all state and non-state actors are functionally equal in a world of non-sovereignty, a world that embodies the concepts of human dignity, cultural sensitivity and stability without a hierarchy of authority. The issue this essay has with all of the established notions of sovereignty is that none of them seem able to incorporate international cooperation, human rights and efficiency without “punishing” some set of actors or another. The next section of this paper will attempt to illustrate what a world without sovereignty would look like, how it would function, and what objectives it would fulfill.

A World Without Sovereignty

Before describing how the international community would function without a concept of sovereignty, let us first detail what the objectives are. It is fair to say that this process requires a bit of imagination, as we are completely rejecting the framework upon which we have understood our world for at least the past four centuries. The ideal global society can best be described as a system of “international federalism,” in which the globe is divided into administrative systems, not sovereign governments, that exist solely to coordinate resources and services. These administrative systems would politically represent the citizens of their region, but not in a way that would allow them any authority over other regions, meaning citizens would be allowed to self-actualize as long as that self-actualization did not violate the autonomy of other regions. These administrative systems would be accountable to a universal, international body that would uphold standards of equality and dignity, akin to the body of international law currently in existence. This organization would hold all individuals accountable to the same standard of decency while still respecting individual social and cultural beliefs within each administrative sphere. The international body would be representative of the people and not accountable to any particular administrative body, in a way similar to the structure of the European Parliament, in which delegates take an oath to promise that they will never follow orders from their governments.⁴¹ It is arguable that our society is already on the path to an international community such as this, considering

the current establishment of multilateral groups such as the European Union and the widespread adherence to international law through bodies like the United Nations and the International Criminal Court.

Sovereignty, of all definitions, is contradictory to this inevitable and desirable progression, and moreover, actively prevents this development from occurring. First, sovereignty acts to corrupt state-building interventions, a process that is not innately abusive, but is made so through the system of sovereignty. David Chandler discusses this concept in his work *International Statebuilding* and promotes the stabilizing aspects of these endeavors, and the benefits they provide to international security.⁴² He tries to apply the post-liberal model of sovereignty in order to allow more legitimate foreign intervention, but even if the intervened upon state is labeled as lacking sovereignty due to poor governance, the perception of ethnocentrism remains a reality. Chandler even admits earlier in the text that the effectiveness of intervention and state building is undermined when it is viewed as imperialistic.⁴³ A world without sovereignty avoids these issues because there is no risk of competing standards of sovereignty based upon subjective views of what makes a state “legitimate.” The new global society cares more about the dignity of the individual, and can aid stability without having the aid be driven by a particular, sovereign and selfish force. This vision extrapolates upon the ideals of cosmopolitanism but abandons the restrictions of cosmopolitan sovereignty.

As mentioned, our global community is already working toward a system defined by a coherent, liberal body of international law; sovereignty hinders this development. In a world with sovereignty, questions of jurisdiction obviously arise, in which the legitimacy of international bodies are questioned when pitted against state justice systems. States can also use sovereignty as an excuse to avoid commitment to international treaties, with the best example being the United States’ refusal to sign onto the International Criminal Court, in fear that its government’s actions will be scrutinized.⁴⁴ By stripping nations of this excuse, international law would be evenly applicable, granting it more legitimacy and increasing its deterrent effect. Considering there is no real moral distinction between individuals of different regions, there is no reason why there should be different moral obligations simply because certain states cry “sovereignty” to avoid accountability.

Closing Thoughts

The rationality of international political theory depends on its applicability and relevance, a fact that demands constant analysis of how the global community is structured, to what point it is progressing, and what terms should be used to describe interactions. As international law develops and societies become more interconnected, it is clear that classic sovereignty has become an antiquated ideology, one that no longer describes international relations. Scholars have attempted to redefine sovereignty to fit modern frameworks by incorporating liberalism and respect for individualism, but all redefinitions

still fail to properly define or prescribe behavior. Either, the new systems of sovereignty create unequal hierarchies that polarize society, or they ignore the unique power of non-state actors, or they simply cannot make the transition from theory to practice.

The most important thing is to consider the goals of international society, as scholars and politicians have the unique ability to be proactive and shape the trajectory of global society into the future. As we as a community institutionalize concepts of global equality, human dignity and cooperation, we move further away from the Westphalian system of states from whence sovereignty was originally born. As we leave classic sovereignty to the backrooms of history, it is important to not limit our discourse to the rigid structures of sovereignty. Just because this term has dictated politics up until this point does not mean that the international community is incapable of crafting a new paradigm. If the global community wishes to achieve cooperation, equality and stability, it is necessary to abandon archaic terminology and re-conceptualize the way the world functions.

Notes

1. Alan Cranston, *The Sovereignty Revolution* (Stanford: Stanford University Press, 2004), 9.
2. Ibid., xi.
3. "Charter of the United Nations" (1945), Ch. 1, Art II (7).
4. David Held, "Law of States, Law of People: Three Models of Sovereignty," *Legal Theory* 8 (2002), 48.
5. Cranston, *The Sovereignty Revolution*, 29–30.
6. Held, "Law of States, Law of People," 48.
7. Ibid., 49–50.
8. Nancy A. Stanlick, "A Hobbesian View of International Sovereignty," *Journal of Social Philosophy* 37 (2006), 552–554.
9. Ibid., 558–561.
10. Ibid., 552–555.
11. Held, "Law of States, Law of People," 51–52.
12. Ibid., 51.
13. Ibid., 57.
14. David Chandler, *International Statebuilding: The Rise of Post-Liberal Governance* (New York: Routledge, 2010), 22–26.
15. Ibid., 66–67.
16. Ibid., 65–66.
17. Ibid., 47.
18. Ibid., 43.
19. Ibid.
20. Ibid., 47.
21. Ibid., 47–48.
22. Ibid., 55–57.
23. Ibid., 47.
24. Ibid., 48.
25. Ibid., 50–52.

26. Ulrich Beck, "World Risk Society and the Changing Foundations of Transnational Politics," in *Complex Sovereignty: Reconstituting Political Authority in the Twenty-first Century*, ed. Edgar Grande and Louis W. Pauly (Toronto: University of Toronto Press, 2005), 23.
27. Chandler, *International Statebuilding*, 4–5.
28. Angelique Chrisafis, "France launches air strikes on Mali," *The Guardian*, 11 January 2013, accessed 15 January 2013, <http://www.guardian.co.uk/world/2013/jan/11/france-launches-airstrikes-on-mali>.
29. Held, "Law of States, Law of People," 77.
30. Cranston, *The Sovereignty Revolution*, 43.
31. Ibid.
32. John Oates, "Cosmopolitan Sovereignty: Representing Humanity and the Architecture of the Human Rights Regime" (paper prepared for the 2012 ISA meeting, New Orleans, Louisiana, August 2012), 18.
33. Thomas W. Pogge, "Cosmopolitanism and Sovereignty," *Ethics* 103 (1992), 61–69.
34. Ibid., 58.
35. Holli Thomas, "Cosmopolitan Sovereignty" (paper presented to the Australasian Political Studies Association Conference, University of Adelaide, 29 September–1 October 2004), 22.
36. Beck, "World Risk Society," 22.
37. Michael Foucault, *The Birth of Biopolitics: Lectures at the Collège de France 1978–1979*, trans. Graham Burchell (New York: Picador, 2008), 1–3.
38. Cranston, *The Sovereignty Revolution*, 32.
39. Daniel Faber, *Capitalizing on Environmental Injustice: The Polluter-Industrial Complex in the Age of Globalization* (USA: Rowman & Littlefield, 2008), 184.
40. Cranston, *The Sovereignty Revolution*, 33.
41. Ibid., 43.
42. Chandler, *International Statebuilding*, 118–119.
43. Ibid., 26.
44. Held, "Law of States, Law of People," 53.

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Toward a Global Leviathan?: *International Business, China's Student Elite and the Future of Sino-American Relations*

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Abstract

In the context of realist-liberal debates on the role economic integration is likely to play in the future of U.S.-Sino relations, this paper examines student attitudes toward Chinese foreign policy. Relying on scholarship that links the attitudes of Chinese students to foreign policy makers in the People's Republic of China (PRC), as well as interviews with 75 Chinese students at Peking University and Tsinghua University, we examine attitudes toward international institutions, the United States, and China's changing role in the world. Our conclusions suggest elite Chinese students are deeply divided between two factions: more liberal students who conceptualize U.S.-Sino relations in positive sum terms and tend to favor the status quo international order, and less reconciliatory, more nationalist oriented students who are more skeptical of the contemporary global order. Pinpointing interest in Western business firms as the decisive variable separating these two factions, we consider whether business opportunities abroad for China's educated elite are more likely to engender a generation of decidedly more liberal public leaders, or serve as a funnel through which more liberal voices are effectively silenced in Mainland China. We conclude with several suggested topics of further research, as well as policy implications.

I. Introduction

Much debate concerns the effect of global economic integration on the international polity in general, and hegemonic politics—especially the crucial U.S.-Sino relationship—in particular. Realist “pessimist” scholars assert that rising powers historically disrupt the status quo order—a formula for chaos and conflict. Conversely, liberal “optimist” theorists insist the current world order is more accommodating than prior orders, “easier to join and harder to overturn than ever before,” in the words of John Eikenberry.² Integrated systems of global trade incentivize integration, rather than disruption, which is likely to bind the United States and China in a continually mutually beneficial

relationship. Relying on scholarship that links the attitudes of Chinese students to PRC foreign policy makers, this paper examines the effect of exposure to Western business firms on students at elite Chinese universities and the potential consequences for the future of U.S.-Sino relations. Based on interviews with 75 students over the course of three weeks at Peking University and Tsinghua University,³ we argue that a crucial dichotomy exists between liberally oriented students who are more likely to see U.S.-Sino relations as mutually beneficial, and more nationally oriented students who are more likely to see U.S.-Sino relations in zero-sum terms. We conclude that the decisive variable between the two groups of students is interest in employment with Western business firms, which exposes subjects to work or study abroad, study of economics and the English language, consumption of Western press and mainstream liberal academic thought. A clear majority of students fall into this category.

Importantly, these findings are linked to arguments between liberal optimists and realist pessimists. Whether and in what capacity students returning from study or work abroad exert political influence within or upon the Chinese Communist Party (CCP) will be a significant variable in the future of U.S.-Sino relations. We sketch out several possibilities. Foreign returnees might one day exert significant influence within government, think tanks and policy networks, guiding China toward a more conciliatory posture abroad and thus lending credence to the liberal argument that economic interconnectedness encourages security cooperation. That for the first time in the history of the international system a significant portion of the elite of a rising power is spending its formative years studying and working in its prospective hegemonic rival cannot be overlooked. Conversely, interest in employment and education abroad could serve as a funnel for more liberal minded students, draining future Chinese leadership of its potentially more cosmopolitan thinkers and empowering more nationally-oriented leaders with less faith or interest in reconciliatory foreign policy. These alternatives are developed in the final sections below.

II. Current Literature

It is widely recognized within the current literature that students, as a large segment of the urban youth, constitute a significant constituency for the CCP—one which, if mobilized, could exert significant pressure on the CCP.⁴ This fact is accentuated by the flurry of nationalistic mass public demonstrations in recent memory—mostly student orchestrated—in response to the American bombing of the Chinese embassy in Belgrade (1999), the controversial collision of a U.S. EP-3 reconnaissance plane with a Chinese F-8 fighter over the South China Sea (2001), anti-Japanese protests sparked by the prospect of a permanent Japanese seat on the U.N. Security Council (2005), and the collision between a Chinese fishing boat and two Japanese vessels (2010).

A strand of literature that identifies popular Chinese nationalism as a powerful variable in the PRC's increasingly aggressive foreign policy has

accordingly developed.⁵ Emphasizing slowed economic growth, a systemic crisis of corruption, and increasing numbers of spontaneous political protests, scholars such as Robert Ross have argued that “domestic weakness has forced the government to rely more and more on nationalism for regime legitimacy,” which explains China’s incendiary aggression of 2009–10.⁶ Importantly, this scholarship identified urban students as the epicenter of Chinese nationalism.⁷ Projecting forward, scholars such as Ross and Peter Hayes Gries identified respective virulent nationalisms as the central threat to U.S.-Sino relations, insofar as events such as the Belgrade embassy bombing and EP-3 collision reinforce the “victim narrative” linked to China’s Century of Humiliation, the period unrest from 1839 to 1949 when China experiences ignominy at the hands of foreign powers, thereby sparking defensive aggression in both popular thinking and public attitudes.⁸ In short, proponents of this strand of scholarship purport that Chinese interests are decidedly peaceful and cooperative on the international stage, but popular sentiment is forcing the CCP to play a more forceful hand.

In response to scholarship identifying popular nationalism as the root of aggression in CCP foreign policy, a second strand of literature has emerged that emphasizes the advantage of ostensibly uncontrollable popular protest in international bargaining situations. This literature credits the CCP with effectively manipulating popular responses to crises such as the EP-3 collision or Belgrade bombing. Arguing that, “by raising the cost of diplomatic concession, anti-foreign protests serve as a commitment tactic in international negotiations, enabling authoritarian leaders to claim credibly that they cannot meet foreign demands,” scholars such as Jessica Weiss Chan have suggested that popular attitudes should be considered the consequence, not the cause, of CCP foreign policy.⁹ Yun Sun argues, “in a country without free media, independent public opinion is certainly a myth.”¹⁰ Both Chan and Sun identify important case studies in which the CCP became fearful that popular protest crossed the boundary between being an effective tool in international bargaining and an actual threat to domestic stability, and obstructed further demonstration in response. These include the EP-3 collision, the 2005 anti-Japanese protests, and anti-Japanese protests in 1990 and 1996, which, in Chan’s view, represent instances in which “the domestic risk of allowing protest is too large and/or the expected international benefit is too small . . . [giving] Chinese leaders an incentive to nip anti-foreign protests in the bud.”¹¹

This paper takes an accommodationist position toward these two divergent schools of scholarship, imagining that nationalist appeals that buttress CCP legitimacy are not mutually exclusive with the Party’s decision to prevent nationalist demonstrations when it does not serve strategic interest. More important than the particular causal question that absorbs the literature is the fact that both schools of scholarship agree that elite urban students reflect—regardless of whether as a cause or consequence—the attitude of policy makers concerning important questions of Chinese foreign policy. From outside this literature, Teresa Wright has reinforced this point, identifying students as

the dominant strain of the “professional” class that will ultimately determine the pace of China’s liberalization.¹²

Decisively, whichever causal direction prevails, scholars of both perspectives agree that there is a significant overlap between student and CCP attitudes. Investigating the approach of urban Chinese students to a variety of decisive questions concerning China’s changing role in the world and its relationship to international institutions and to the United States thus has the potential to shed significant light on CCP approaches to such matters. This is true not only if such an evaluation succeeds in identifying the policy questions most likely to spark aggressive nationalist protest that may inform CCP policy, as argued by Ross and Gries, but also if it identifies in student attitudes the rudiments of CCP political propaganda that concern Sun, and, to a lesser extent, Chan Weiss.

III. Methodology

To gauge those student attitudes in the context of this ongoing scholarly debate, we interviewed 75 students at Tsinghua University and Peking University, widely considered the top academic institutions in mainland China.¹³ Beyond producing a disproportionate number of political leaders, both universities have been sites of significant political protest in the major episodes of student nationalist mobilization.¹⁴ Employing a snowball research strategy to penetrate student networks, we evaluated students’ attitudes toward international institutions, the United States, and China’s changing role in the world, gauging attitudes on vital questions such as the Obama administration’s “Pivot to Asia,” U.S. involvement in territorial disputes in the South China Sea, increased U.S. military coordination with Taiwan, Indonesia, South Korea and/or Australia, increased arms trade with Taiwan, Chinese ascendance to the World Trade Organization (WTO), and allegations of currency manipulation. Interviews were conducted in English and were informal; the discussion drifted from topic to topic, as they came up. This allowed students to discuss those topics that interested them most, though all subjects were touched upon in each interview.

This research is decidedly qualitative, with an emphasis on the substantive responses of interviewed students to the questions described above. We do not attempt to model our findings in a statistically rigorous manner, as we believe that our qualitative classification of students into ideal-type categories (“liberal” or “nationalist”) flows smoothly from straightforward responses to a series of direct questions over half-hour to hour-long interviews. Additionally, resource constraints mean that our sample size is not large enough to be statistically significant. However, we do offer broad statistics on the percentage of students in our survey pool who took one position or another on particular questions, such as the effects of Chinese ascension to the WTO, as well as the percentage of students within a sub-group (such as those who believed the WTO had had a positive impact on China) who also fall into a second

sub-group (such as those who believed that U.S.-Sino relations are ultimately reconcilable).

Moreover, while it is unclear whether or not our sample is representative of the population at hand, we nevertheless attempted to preempt potential biases as they arose. To ensure our sample did not come from a homogenous population, our initial set of interviewees—who in turn recommended other candidates—were independently recommended by students of different majors, graduation years, extracurricular interests and regions of origin. In doing so, we hoped to prevent penetrating only one group unrepresentative of the universities at large.

Another potential bias is language. As mentioned previously, interviews were conducted in English, meaning that the non-English speaking segment of campus was excluded. This could potentially skew our results in favor of the more cosmopolitan students, as they would have spent more time honing their English speaking skills. Nevertheless, today English is taught in Chinese public schools, and most students have a basic speaking ability, as it is a necessary prerequisite for many careers in China and even further education. Thus, we are confident this bias is not strong enough to significantly diminish the insight the interviews provide.

IV. Findings, Part 1: Intensity of Political Views

Our findings suggest the current generation of students is significantly less committed to voicing its political opinions than the generation that participated in the wave of student-driven demonstrations that stretched from those in Tiananmen Square in 1989 to those protesting a Japanese seat on the U.N. Security Council in 2005. This can be understood by the changing nature of student political movements over the past two decades, and the drive toward conformity and professionalization. The students who marched on Tiananmen Square in 1989—the self-proclaimed “New Red Guard”—breathed a fiery resentment toward official corruption, blaming poor post-graduation prospects on the CCP’s affinity for the status quo.¹⁵ Dramatic calls for liberal reform and free elections highlighted the sense of alienation and displacement experienced by students even at elite universities such as Tsinghua and Peking, the latter of which was a major driver of the student protests in 1989. That students chose May 4th—the 70th anniversary of the 1919 Nationalist Revolution—for one of that spring’s cornerstone demonstrations suggests the extent to which students believed the CCP had failed to live up to the promises of China’s national greatness. Therefore, the students who stormed Tiananmen were defined by the intensity of their political commitment to a revitalized Chinese nationalism, as well as to the promotion of liberal reforms.

The student protests in the aftermath of the 1999 U.S. bombing of the Chinese embassy in Belgrade reflected a new brand of student activism, micro-managed by the CCP’s newfound concern for political control over academic institutions (one of the major lessons the CCP took from 1989 was that the

relaxation of controls on organization and speech on campus in the mid-1980s could no longer be tolerated).¹⁶ While there is no doubt that, whether the CCP provoked these protests or merely allowed them for strategic purposes (as Chan Weiss alleges), the students who participated were ardent nationalists indignant at America's snub to China's honor.¹⁷

However, even as students took to the streets to defend their nation's pride, the nature of political participation and restiveness that led students to protest was changing. No longer did political participation unequivocally stand above personal advancement, a fact best illustrated by the evolution of the popular slogan during the course of the protest: "Do not take GRE and TOFEL, but fight American imperialism with all our energy," shifted to "Take TOFEL but not GRE, and fight American imperialism in our spare time." By the end of the four-day demonstration, the students were chanting, "Take both TOFEL and GRE, and fight American imperialism by entering its rear end."¹⁸ Economic growth and enhanced interconnectedness with the global economy, especially after China's accession into the WTO in 2001, presented students with new opportunities in Western firms. However, students were pitted against one another as they competed for the more lucrative positions, and in turn they retreated inward to the recesses of private life, becoming increasingly affixed on the concerns of any busy student: grades, GRE scores, employment.

Students interviewed for this paper represent this trend bore out in full. Chinese students today are far more career-oriented, concerned with pursuing their own economic well-being rather than engaging with larger political questions. The primary concern of today's typical student at an elite Chinese university lies not in the particulars of China's national future, but rather in ensuring their own material well-being in an increasingly competitive society where "success"—a job at a top Western financial or management consulting firm—offers previously unimaginable compensation. This may reflect the declining political conscience of students: between studying, participating in student clubs and activities, studying for the GRE and searching for employment, few students have time to develop independent political views or voice dissent. As one student articulated, "This semester I am part of seven classes, three outside groups and must study for GRE. When I have time off, I only go on Renren (Chinese Facebook). I am too tired to think." In the past, this political apathy on campuses would have stemmed from government control and censorship. Today, few students are scared of government reprisal for voicing their opinions—some, indeed, actively do. However, the vast majority remains politically docile.

V. Findings, Part 2: Substance of Political Views

This is not to suggest that students' political views are homogenous. Rather, our investigation of student attitudes toward international institutions, the United States, and China's role in a changing world reveals an important dichotomy between two general types of elite Chinese students. This division in student attitudes maps neatly onto the debate between liberal optimists

and realists. As liberal optimists might expect, many of the students interviewed—typically students of economics, politics, public policy or mathematics—expressed positive attitudes toward the United States and the general international economic order, expressing strong personal interest in employment in Western firms, a strong belief in free trade in general and the advantages of China's ascendancy to the WTO in particular, a strong interest in economic liberalization within China itself, were more likely to see international criticism of Chinese human rights and environmental standards as justified, and a strong desire to master English. Finally, such students tended to believe that American and Chinese interests were not irreconcilable, and could be resolved through diplomatic negotiation.

Conversely, a second category of more nationally oriented students expressed substantially more distrust of American geopolitical ambition, skepticism toward free trade, were more likely to see international criticism of Chinese human rights and environmental standards as self-interested posturing, and emphasized stability over liberalization in domestic politics. For example, 72% of students who see the WTO as bad for China or who believed China was right to join the WTO, but should not always follow its rules, also believe U.S.-Sino relations are zero-sum. These students, who match the realist prediction concerning the impact of increasing economic and political power on national behavior, were more likely to see American and Chinese interests as irreconcilable, even through negotiation.

A decisive distinction between more liberal minded and more nationalistic students is their perspective on the appropriate balance between personal and national interest. Asked whether a high-performing Chinese student ought to take a job with a Western business firm if he or she could better serve China in its public or private sector, the majority of the liberal students answered decidedly in the affirmative. In the words of one student, "You can make a better living in the West. My parents encourage [working in the West]. There is better education and democracy abroad. Whether it is good for China is not the most important thing." Another adds: "Young Chinese students are very individualistic. Most, if they had these skills, would do the same. It has nothing to do with loyalty." Such students were more likely to voice less confrontational positions in other policy domains. One student—a strong proponent of the view that Chinese students should pursue their own self-interest without consideration of Chinese national interest, who had already secured a position at Bain Capital, gives a telling response to a question regarding the Obama administration's pivot to Asia: "It's not related to my daily life, but I guess the Chinese government should pay attention, but not so seriously. America will eventually not do anything. China should continue to develop—that is enough." A fifth, equally liberal student likewise connected the notion that "the United States and China are the strongest countries in the world and therefore must cooperate" to a positive conception of Chinese employment in American financial firms: "It's an individual's choice. Anyway, people will come back with new skills and ideas, and that will be good for China."

These remarks, which reflect the attitudes of the majority of interviewed students, are the consequence of significant exposure to American economic, political, and cultural thinking acquired by original interest in American firms. Many had already studied in the U.S., while others idealized such symbols as Wall Street and hoped to study or work in the West in the future. Almost all of these students expressed a desire to seek employment in a Western firm, perhaps in the U.S., or seek further education in America. Moreover, because a bachelor's degree is rarely enough to secure the most coveted jobs, and because of the prestige associated with Western graduate programs in China, many Chinese students apply to Western graduate schools, a decision which often later leads to employment abroad. This trend is reflected in recent studies. The number of Chinese students studying in the U.S. has doubled in the last two years.¹⁹ Once there, most stay put. Indeed, a recent study, found that 70% of Chinese students who go overseas do not return to China permanently.²⁰ Such attitudes importantly illustrate changing conceptions of citizenship, signifying a strong shift from identification with Chinese national interest to a strong identification with a transnational elite.

Conversely, more nationally oriented students are skeptical of elevating personal gain over national interest. One student, who is unique in his lament for the consequences of WTO membership on northern Chinese rice communities, comments, "I think [elite Chinese students] should help their country. That is what I want to do. It hurts China's competitiveness [to leave or work for a non-Chinese firm]. Yes, we live in a globalized world, but I think China should come first." Students of this perspective are also more likely to see the primary motive of American foreign policy as "maintaining global hegemony at all cost" rather than "the national interest" (the first choice of more liberal students), are more likely to embrace the CCP argument that China's development process must diverge from the traditional pursuit of the "hallmarks of modernity," and are more likely to identify stability and economic growth as national priorities rather than political or economic liberalization. One student who fits each of these criteria neatly summarizes the perceived position of more liberal students on the question of employment in international firms: "It's good for them, but I hope they come back and help China. If not, this will be very bad for China. That is why I want to stay in China and help my people. That is our culture."

VI. Implications for U.S.-Sino Relations

These findings are very pertinent to broader debates concerning the future of the People's Republic of China in general, and CCP foreign policy in particular. Debate between liberal optimists and realist pessimists concerns the effect of China's exponential integration into global economic and political institutions on PRC foreign policy. Liberals assume that increased trade and linkages to international institutions in Asia "are drawing the U.S. and the PRC into a thickening web of ties that will promote contact, communication, and, over

time, greater mutual understanding and even trust.”²¹ This position suggests a reconciliation of U.S. and PRC interests along the lines of mutual economic benefit. Conversely, scholars whom Aaron Friedberg has broadly classified as “realist pessimists” connect China’s economic growth to its expanding military budget, which indicates a high probability of strategic conflict in the context of the realist assumption that “rising powers are often drawn to challenge territorial boundaries, international institutional arrangements, and hierarchies of prestige that were put in place when they were relatively weak.”²² Thus, John Mearsheimer, the realist par excellence, argues that “China, like all previous potential hegemon[s], [will] be strongly inclined to become a real hegemon.”²³

Approached through the lens of student nationalism—and implicitly dismissing the debate within the current literature over the direction of causation between political activism and CCP policy—the decisive question turns to changing conceptions of Chinese national identity. If, as our research shows, it is increasingly common for highly mobile, educated elites to identify to a significant degree with the international capitalist regime over the typical Chinese conceptions of citizenship (i.e. country over private interest), this significantly supports the arguments of liberal optimists. However, if such cosmopolitan attitudes remain the norm only among the privileged elite, which is ultimately frustrated with the obstinacy of central CCP leadership, and the mechanisms by which such cosmopolitanism is acquired become an effective funnel out of mainland China, then, we can expect a more visceral, nationalist foreign policy along the lines of that predicted by realist pessimists. Thus, we see a bifurcation of possibilities: liberal minded elite students may go on to exert significant influence over Chinese politics or effectively distance themselves from the reigns of power by pursuing opportunities abroad, thereby increasing the influence of more nationalist-minded students.

Importantly, student attitudes offer a possible window into the perspectives of future CCP leaders. Even though students in our sample demonstrate remarkable individuality and cosmopolitanism, and Tsinghua and Peking are clearly no longer the cauldron for political activism that led the CCP to micromanage campus politics in the 1990s, this does not mean that Chinese students have no influence over CCP policy. Beyond reflecting CCP views for the reasons developed above, students at Tsinghua and Peking are likely to be disproportionately represented in the country’s future elite.²⁴ As is axiomatic to all countries, the generation that studies today will lead tomorrow and impart a legacy of its own.

A. Will Liberalism Prevail? Foreign Returnees and the Potential for Political Transformation

Much like how Soviet students who studied in Western universities contributed to the “New Thinking” that catapulted reformer Mikhail Gorbachev to power,²⁵ the current generation of Chinese students exposed to Western institutions of higher education or corporate firms has the potential to catalyze significant political transformation. During the 1980s, Chinese officials

worried that the changing political and ideological alignment of the youth would lead to a “peaceful evolution,” whereby the gradual shifting disposition of popular belief would undermine Chinese socialism from within.²⁶ Today, liberally disposed elite students who go abroad to study or work for a period of time may be poised to play a similar role. If so, this will be the first time in history the rising great power elite of a country will be educated in its potential hegemonic rival. Realists often compare U.S.-Sino relations to the hegemonic competition between Great Britain and Germany before World War I; we are suggesting that this comparison would be more accurate if the leaders of Germany had worked and studied in Great Britain for many years before returning home.

The possible contribution of future foreign returnees to the direction of PRC foreign policy may be critically examined by gauging the influence already exerted by foreign returnees, often referred to as “sea turtles” (*hai-gui*).²⁷ Foreign returnees have a long legacy of exerting significant influence in Chinese politics. Sun Yat-sen and Chiang Kai-shek both received education abroad before the 1911 Revolution, as did Deng Xiaoping and Zhou Enlai, who both became indoctrinated with Marxist-Leninist ideology while studying abroad. Currently, 11% of the members of the 17th National Congress spent time at foreign universities.²⁸ This includes many who exert significant influence, including Politburo member Li Yuanchao, who spent time at Harvard University’s Kennedy School of Government, and who has since launched a major program to promote returnees to positions of political leadership. Similarly, Wan Gang, the minister of science and technology, received a PhD in physics from Germany and worked as a senior manager at Audi for 11 years.²⁹

Beyond government, foreign returnees are significantly represented in the country’s influential network of think tanks and policy institutes. These include Wang Huning, former Dean of Fudan University Law School and advisor to Jiang Zemin, contributor to Jiang’s influential “three represents” concept; Hu Zuli of the National Center of Economic Research, Li Qiang of the Center for the Study of Contemporary China, and Chu Shulong of the Institute of International Strategic and Development Studies. Many such figures are noted for their distinct contribution to CCP policy. Yang Xuetong of the Institute of International Studies is credited with the New Security Concept, which has shaped policy regarding so-called “non-state threats” like terrorism and piracy.³⁰ Wang Jisi, current Dean of the School of International Studies at Peking University, was instrumental in devising Hu Jintao’s theory of “China’s peaceful rise.” Hu Angang, Director of the Center for China Studies, which delivers direct reports to the State Council, is credited with being the first Chinese scholar to advocate for “green GDP growth.”³¹ If foreign returnees increasingly bring experience from Western firms, and such students are—as this paper suggests—decisively more liberal in their worldview than their peers, there is a distinct possibility that this mindset will become visibly manifest in PRC foreign policy. Tellingly, in our pool of interviewees, there was a perfect 100% positive correlation between students who see the WTO as good

for China or who believe China was right to and has benefited from its decision to join the WTO and follow its rules, and students who embraced the idea of working for a Western firm or in a Western country.

If China becomes the first world power with an elite educated in the country with which, as realists suggest, China will engage in a hegemonic contest, the influence of foreign returnees will be a significant variable in the future of Sino-American relations. The exercise of substantial influence by this constituency would validate the liberal optimist position. Beyond being more sympathetic to the position that U.S.-Sino relations are less zero-sum than realist pessimists would believe, foreign returnee elites will have built a strong cross-cultural relationship with fellow students or colleagues, many of whom will exercise influence as elite actors in their respective countries of origin, including the United States. This may dampen the conflict of nationalism anticipated by Ross and Griers. Nationalist theorists argue that tensions between two groups can result from an in-group/out-group complex, in which members of one group can easily objectify members of the other, since an individual's interactions with out-group members are limited.³² Once interactions increase between two groups, such objectification decreases as personal relationships fill the void once occupied by imagined conceptions of the other. It is far more difficult, in short, to blindly antagonize a group once a human face is placed on it. These types of bonds established by foreign returnees may be critical in maintaining U.S.-Chinese cooperation.

B. The Great Funnel? The Danger of Foreign Returnee Silence

A second alternative is that significant obstacles will stifle the voices of more liberally oriented foreign returnees with more reconciliatory attitudes toward U.S.-Sino relations. Rising geopolitical tension with the United States could lead to the stigmatization of students who study abroad in America or work for Western firms, particularly in those industries that compete against Chinese counterparts. Equally plausible, officials may frown on students who rebuke traditional conceptions of Chinese citizenship to pursue higher salaries in Western firms at the expense of China's (perceived) national interest. Officials of this perspective could construct significant roadblocks for foreign returnees trying to ascend to positions of political influence. Indeed, interviewees already expressed concern that students who remain in China are accumulating valuable "guanxi," or social capital, that will ultimately lead to greater influence in public policy.

This may create an automatic cycle, in which more nationalist students in positions of political power appoint or elevate similarly minded leaders, thus freezing out more liberally minded foreign returnees, and in turn discouraging students from spending significant time abroad, whether at a firm or educational institution. Whereas China once required its intellectual elite to be populated by foreign returnees due to deficits in its own institutions of higher education, the growth in competitiveness of Chinese universities thanks to concerted efforts on behalf of the CCP suggests that students may no longer

find significant educational or professional value in time spent abroad.³³ Our findings show that there are decisive differences in policy preferences between these students and more liberally minded students, including less faith in the international political and economic order, and a less liberal vision of China's domestic future. Importantly, 78% of students in our research pool who expressed interest in post-undergraduate options in Chinese politics named "political stability" as one of China's top two priorities, as opposed to the priority of "political liberalization" identified by 93% of students who expressed post-undergraduate interest in American business firms or graduate schools. The perspective of such students is represented by the claim that China must do what it can to increase the well-being of its population, even if this requires forsaking WTO conditions. Such views—highly distinct from those of the liberal camp—suggest the divergent impact the dominance of such thinkers might have on future CCP policy.

C. Self-Selecting Returnees? Huntington and Foreign Returnee Belligerence

An alternate prospect is that studying and working abroad will not make students more liberal, but will rather counteract these tendencies, encouraging insularity and nationalism. Samuel Huntington's seminal argument that the 21st century will bring with it a so-called "Clash of Civilizations" is predicated on the argument that interconnectedness and general "closeness" do not always help peoples relate to one another.³⁴ Indeed, direct contact may only accentuate cultural differences, estranging the liberal minded Chinese students who pursue work and further studies abroad. Importantly, several students interviewed for this paper suggested that they chose not to pursue opportunities abroad because of a "culture of discrimination against Chinese" in the Western corporate world. Most reached this conclusion from anecdotal experience shared by recent returnees. Whether or not these allegations are true, it is clear that cultural differences between China and the West are large, and that not all Chinese who go abroad will build inter-cultural bonds. Some will become isolated or alienated, and will return with less positive views of the West in general or of the United States in particular than when they left China. There may thus develop a process of self-selection, whereby the students most likely to return to populate the ranks of China's political elite will be those most alienated by their experience in Western work or educational environments.

Indeed, while it is often thought that experience abroad ameliorates nationalism and engenders a more peaceful elite,³⁵ there is no definitive evidence to support this assumption. While prominent Chinese foreign returnees such as Yang Xuetong or Wang Jisi clearly display more liberal tendencies, there are also conspicuous examples that confirm Huntington's hypothesis. Wang Xiaodong, the co-author of the ultra-nationalistic best seller *China Can Say No* (1996) and *China Is Unhappy* (2009), studied in Japan for several years.

His time there evidently did not placate his anger at Japan for the crimes committed under Japanese occupation. Fang Ning is a returnee from the United States and deputy director of the Institute for Political Science at the Chinese Academy of Social Sciences, and is extremely critical of U.S. foreign policy. Fang coauthored the influential 1999 book *China's Road in the Shadow of Globalization*, which is critical of economic globalization. One should not rule out the possibility that as students move through professional and academic experiences in Western settings, their enthusiasm for Western-oriented liberal values expressed while university undergraduates may fade.

VII. Conclusions

This research presents social scientists and policy makers alike with important new challenges. First, our research suggests that current debates need to be adjusted to changing realities. In particular, the debate over student influence in Chinese politics needs to take into account the reality of a new generation of students whose political influence in the long-term will be affected by their status as foreign returnees whose political views have been shaped by study or work abroad, not in the near future through the type of transformational change aspired to by the Tiananmen generation. Further research into the causal relationship between student interest in employment with Western firms and more liberal political outlooks, including the socialization mechanisms by which such views are acquired, would significantly contribute to a more nuanced understanding of how economic globalization changes conceptions of citizenship, and, in turn, national political priorities. Similarly, future tracking of political interests and prospects of foreign returnees, including comparative advantages and disadvantages to non-returnees, would help determine the likelihood that returnees will exert future influence. Finally, American policy makers would be wise to assist Chinese students interested in studying in the United States in finding university placements most likely to offer a rewarding cultural experience, so as to reduce the probability that Huntington's gloomy predictions come to fruition.

China's unprecedented rise into an unusually institutionally rigid global system poses a unique challenge for both social scientists and policy makers. Few questions better summarize this unprecedented territory than the impact of a significant portion of China's elite acquiring its education and early employment experiences in the country with which their home nation is expected to engage in a hegemonic contest. In this uncharted territory, theory and history can only be relied upon to a certain extent. While we have attempted to sketch out several possibilities that flow from our research, only time and further investigation can answer the pressing questions raised by these unique matters of international affairs.

Notes

1. The qualifier comes from Friedberg (2005), who categorizes analysts of U.S.-PRC relations as realist-pessimist, realist-optimist, liberal-pessimist and liberal-optimist. The position of only the first and last are pertinent to our findings.
2. Ikenberry, John, "The Rise of China: Power, Institutions and Western Order," *Foreign Affairs* (Jan./Feb. 2008).
3. Research was generously funded by the J. Roland Pennock Fellowship in Public Affairs.
4. Joseph, William, *Politics in China: An Introduction* (New York: Oxford University Press, 2010), 26. Pei, Minxin, "How China is Ruled," *American Interest* (March/April 2008). Wright, Teresa, *Accepting Authoritarianism: State-Society Relations in China's Reform Era* (Palo Alto: Stanford Press: 2010), 60–70.
5. See Christensen, Thomas, "The Advantages of an Assertive China," *Foreign Affairs* (March/April 2011). Shirk, Susan, *Fragile Superpower: How China's Internal Politics Could Derail Its Rise* (New York: Oxford University Press, 2007).
6. Ross, Robert, "Chinese Nationalism and its Discontents," *The National Interest* (Dec. 2011), 47.
7. Ross and Friedman, Edward, "Where is Chinese Nationalism," *Nations and Nationalism* (Oct. 2008).
8. Gries, Peter Hays, *China's New Nationalism: Pride, Politics, and Diplomacy*. Ch. 8, "Chinese Nationalism and U.S.-China Relations in the Twenty-First Century," 2004.
9. Weiss, Jessica Chan, *Powerful Patriots: Nationalism, Diplomacy, and the Strategic Logic of Anti-Foreign Protest* (Ph.D. diss., U.C. San Diego, 2008), 24.
10. Yun Sun, "Chinese Public Opinion: Shaping China's Foreign Policy, or Shaped by It?," *Brookings Northeast Asia Commentary* (Apr. 2012).
11. Chan, *Powerful Patriots: Nationalism, Diplomacy, and the Strategic Logic of Anti-Foreign Protest*, 186.
12. Wright, Teresa. "Accepting Authoritarianism: State-Society Relations in China's Reform Era," 60–70. Wright argues that the interests of China's nascent middle class are much closer to those of its wealthiest 5% than to the poorest 90%, thus substantially reducing the probability of significant liberalization. Importantly, Wright also notes the increase in student membership in the CCP, from a total of 0.8% of all members in 1990 to 8% in 2001.
13. The U.S. News, *World's Best Universities in Asia*, 2012.
14. Among other significant movements, Peking University is credited with giving birth to the New Culture Movement, May Fourth Movement, the Tiananmen Square protest of 1989.
15. Wasserstrom, Jeffrey, "Chinese Students and Anti-Japanese Protest, Past and Present," *World Policy Journal* (Summer 2005), 39.
16. Hayhoe, Ruth, "China's Universities since Tiananmen: A Critical Assessment," *The China Quarterly* (June 1993), 292.
17. Zhao, Dingxin, "An Angle on Nationalism in China Today: Attitudes Among Beijing Students after Belgrade 1999," *The China Quarterly* (Dec. 2002), 885–905.
18. Dingxin, "An Angle on Nationalism in China Today: Attitudes Among Beijing Students after Belgrade 1999," 904.
19. "Number of Chinese Students in U.S. Dramatically Expands," *Voice of America*, October 12, 2012.

20. See "China Fears Brain Drain as Its Overseas Students Stay Put," *The Guardian*, June 1, 2007.
21. Friedberg, Aaron, "The Future of U.S. China Relations: Is Conflict Inevitable?" *International Security* (Fall 2005), 14.
22. Friedberg, "The Future of U.S. China Relations: Is Conflict Inevitable?," 18–19.
23. Mearsheimer, John. *The Tragedy of Great Power Politics* (New York: W. W. Norton & Company, 2002), 400.
24. Current General Secretary Xi Jinping graduated from Tsinghua University. Hu Jintao also graduate from Tsinghua. Current Vice Premier Li Keqiang is a graduate of Peking University. Graduates of both institutions, indeed, disproportionately populate the top ranks of the CCP.
25. Herman, Robert G., "Identity, Norms, and National Security: The Soviet Foreign Policy Revolution and the End of the Cold War," in *The Culture of National Security: Norms and Identity in World Politics* ed. Peter J. Katzenstein (New York: Columbia University Press, 1996), 295.
26. Wasserstrom, "Chinese Students and Anti-Japanese Protest, Past and Present."
27. Cheng Li, "Shaping China's Foreign Policy: The Paradoxical Role of Foreign-Educated Returnees" *Asia Policy* (July 2010), 65–85.
28. Li, "Shaping China's Foreign Policy: The Paradoxical Role of Foreign-Educated Returnees," 73.
29. Li, "Shaping China's Foreign Policy: The Paradoxical Role of Foreign-Educated Returnees," 74.
30. Leonard, Mark, *What Does China Think?* (Great Britain: Halper Collins, 2008), 99–100.
31. Ramo, Joshua Cooper. *The Beijing Consensus* (London: Foreign Policy Center, 2004), 22–23.
32. Tajfel, Henri, and John C. Turner. "An integrative theory of intergroup conflict." *The Social Psychology of Intergroup Relations* (1979), 47.
33. "The Making of World-Class Universities, of the Chinese Variety," *The Chronicle of Higher Education*, February 17, 2011.
34. Huntington, Samuel, "The Clash of Civilizations?" *Foreign Affairs* (1993).
35. See David Zweig, *Internationalizing China: Domestic Interests and Global Linkages* (Ithaca: Cornell University Press, 2002); and Cheng Li, ed., *Bridging Minds Across the Pacific: U.S.-China Educational Exchanges 1978–2003* (Lanham: Lexington Books, 2005).

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Feeding the World, Ruling the World:

Food Sovereignty in National Sovereignty

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Abstract

Sovereignty, as political science term, is highly contested and debated. It can refer to any number of levels of control and authority on domestic and international scales. Recently, a new layer of meaning has been ascribed to the word: food sovereignty, or the right of a nation and its people to choose the food it eats and how it is produced. The term, coined by an international peasant advocacy group, brings to attention widespread discontent with the current food system and its wasteful, expensive, exploitative, and potentially harmful practices. This paper explores how claims to national or state sovereignty are compromised without a claim to national or state food sovereignty. Using Michel Foucault's work on biopower, conventional and more radical definitions of sovereignty, and debates centered on genetically modified organisms (GMOs) in agricultural production, this paper examines how agricultural biotechnology can undermine sovereignty through biological, economic, cultural, and political means. GMOs can serve as uncontrollable biological agents of biotech corporations, unresponsive to political boundaries or rules. These agents have the potential to destroy regional agricultural biodiversity, alter biologies of plants and humans alike, infiltrate cultural practices and standards, and ruin livelihoods of citizens and the economy of the state. Using Mexico's "tortilla crisis" as a salient case study, I explain the application of my argument. This paper does not endeavor to offer policy or practice advice, but rather to further complicate the term "sovereignty" by introducing the concept of non-human, biological agents and food to the debates.

Eating is a basic human necessity, but also one that has been imbued with layers upon layers of social, cultural, and biological meanings. While eating is a basic function, it is scarcely a simple matter. Eating habits communicate ideas about economic status, self, loyalties, nationality, beliefs, values, and identity. It is because eating is such a bio-socio-cultural-political act that La Via Campesina, an international peasant advocacy group, coined the phrase, "food sovereignty" in response to the increasing difficulty many people have in securing food of the desired and needed kind and quality. According to La Via Campesina's definition, "food sovereignty" is "the right of each nation to maintain and develop their own capacity to produce food that [is] crucial

to national and community food security, respecting cultural diversity and diversity of production methods.”¹

It is no coincidence that the term “sovereignty” is used here much in the same way it is used in political science, and it is the goal of this paper to argue that “sovereignty” of a nation or state is compromised if said nation or state cannot claim “food sovereignty.” This argument is based on the capabilities of global agriculture, grain, and biotechnology (commonly referred to as biotech) companies such as Monsanto, Archer Daniels Midland (ADM), Cargill, and Dow Chemical. These companies have the ability to undermine “sovereign” control of borders, domestic affairs, and human bodies by capitalizing on the anthropocentric focus of definitions of “sovereignty,” neoliberal trade policies, and the uncertainties that accompany and surround genetically engineered products in food. In this paper, I use both more conventional political science sovereignty definitions, as defined by international relations scholars and taught at Tufts University, and more radically defined notions of sovereignty, referencing activist writings that give insight into the sentiments and rationale of anti-GMO parties. Additionally, I draw upon social science theorist Michel Foucault’s concept of “biopower” to expand the concepts and definitions of the terms “power” and “sovereignty.” Using these pieces together as a multilayered lens, I examine how a lack of activist-defined “food sovereignty” is indicative of a greater general failure on the part of the nation to assert control and authority internationally and domestically.

To identify and trace instances of violated food and international sovereignty, I investigate how genetically modified organisms, or GMOs, act upon human biology and cultural symbols, which can be key foundational elements of identity. As a case study with which to apply and understand the concepts presented in this paper, I look specifically at Mexico’s “tortilla crisis” of 2007, in which the traditional staple food, the tortilla, became too expensive for many people. New developments concerning biotech corporations and GMOs in Mexico in the months leading up to the final manifestation of this paper make this case study particularly salient. I do not intend to necessarily or entirely demonize GMOs, but rather reveal their ability, be it intentional or otherwise, to undermine claims to sovereignty. I also do not attempt to offer policy or practice changes, nor advocate for nor encourage a strict state-controlled diet. Instead, I aim to bring food and its many socio-cultural complexities into discourses on sovereignty. I argue that where the sovereign state is failing to protect individuals’ consumption patterns and choices is also where the sovereign state is losing its claim to sovereignty. It is, I believe, in the interest of a state pursuing sovereignty to ensure their nation can declare food sovereignty.

Sovereignty

Merriam Webster dictionary defines “sovereignty” as “A: supreme power especially over a body politic; B: freedom from external control: autonomy; C: controlling influence.”² This broad definition identifies the unifying themes of

the various and disputed interpretations of the word and its meanings and manifestations. As a political science term, it is highly contested and debated. For the purposes of this paper, I will refer to four of the most common usages. These models are known as domestic sovereignty, interdependence sovereignty, international legal sovereignty, and Westphalian sovereignty, each identifying varying degrees and scales of authority and control. In the context of domestic sovereignty, a public authority is invested with the power to control internal affairs. Stanford University international relations Professor Stephen Krasner writes in his book, *Sovereignty: Organized Hypocrisy*, “Domestic sovereignty involves . . . both the specification of legitimate authority within a polity and the extent to which that authority can be effectively exercised.”³ Interdependence sovereignty is based on border control, or “the capacity of a state to regulate movements across its borders.”⁴ International legal sovereignty refers to when “recognition is extended to territorial entities that have formal juridical independence,”⁵ and Westphalian sovereignty is founded on the exclusion of external actors from domestic issues.⁶ Despite their differences, the undermining effects of denied food sovereignty apply to any and all of these models of sovereignty.

Additionally, as Alexander Wendt and Raymond Duvall argue in their piece, “Sovereignty and the UFO,” sovereignty is anthropocentric; it is “constituted and organized by reference to human beings alone.”⁷ They continue, “In modernity God and Nature are excluded, although in this exclusion they are also reincluded as the domesticated Other.”⁸ This domestication of Nature as Other has gone so far that Nature may now be used as an agent of humans to sidestep the conventional boundaries of sovereignty, as is happening with biotech corporations’ genetically modified products. As pollinators do not acknowledge man-made political boundaries, neither do the GMOs carried by those same pollinators. GMOs are potentially powerful and uncontrollable agents of what famous French philosopher and social theorist Michel Foucault calls “biopolitics.”

Biopolitics and Biopower

In their argument on anthropocentrism, Wendt and Duvall write in dialogue with Michel Foucault’s “biopolitics” or “biopower” theory. Foucault argues that conventional sovereignty is the power to “take life or let live” and that it has been replaced by the power to “foster life or disallow it to the point of death.”⁹ This second power is what Foucault calls a “bio-politics of the population.”¹⁰ “Biopolitics,” in the sense it is used in this paper, is the system through which “biopower” is enacted upon a population. Foucault writes that by utilizing disciplinary power enforced through systems of surveillance and knowledge, “biopower” regulates “the species body, the body imbued with the mechanics of life and serving as the basis of the biological processes: propagation, births and mortality, the level of health, life expectancy and longevity.”¹¹ As Wendt and Duvall describe Foucault’s theory:

“Modern” governmentality marks a shift in discourses of rule away from the state’s sovereign power—its ability to take life and/or render it bare—and toward its fostering and regularizing of life in biopolitics. The object of government is no longer simply obedience to the king, but regulating the conditions of life for subjects.¹²

“Sovereignty” as we are considering it is not just a public authority controlling internal affairs and asserting statehood in the international arena. It also encompasses the ability of the authority to control the very basic human condition that makes all other definitions of sovereignty possible: life.

The Food Movement

The “food movement” is difficult to define. Perhaps it is more apt to pluralize the term, “food movements,” to accurately elicit the idea of myriad campaigns to change the current food system. Proposed solutions to the problems of industrial agriculture practices include eating locally, eating organic, achieving self-sustenance, eliminating food deserts, labeling food containing GMOs, improving access to healthy food, advocating for food worker rights, and so on. No one solution is a cure-all for the wasteful practices, environmentally exploitative production, and horrendous labor conditions for which industrial agriculture methods have become infamous. Many people concerned with today’s food system chose to champion a specific approach, but each proposed solution overlaps with the others because the food system is just that, a system of interconnected causes and effects. Despite any divisions arising among proponents of different approaches, almost everyone who considers themselves a supporter of some facet of the “food movement(s)” agrees on at least one thing: people should have the right to choose what they eat.

Food Sovereignty

Since La Via Campesina coined the phrase, “food sovereignty,” it has spread across the world. “Food sovereignty” as a phrase and concept came about in response to the fact that the definition of “food security,” used by the United States Department of Agriculture to identify areas of need, did not include choice, but narrowly focused on caloric consumption levels. As food is an integral part of cultural and biological identity and agency, activists coined “food sovereignty” in order to introduce a discourse about the important factor of choice in patterns of consumption, production, and trade into discussions about global hunger. PhD candidate, Sandy Brown, and Cooperative Extension Specialist, Christy Getz, both at the University of California Berkeley, assert that the “food sovereignty movement” “demands the removal of agriculture from the international trade system, which [NGOs] deem to undermine, not support, food security for millions by allowing rich countries to maintain agricultural subsidies while forcing poor countries to dismantle farmer

supports.”¹³ By removing agriculture from the international trade system, they argue, unequal power relations and resource access produced by “neoliberal domestic policies and international trade regime” are extracted from food production, making it possible for food production workers to afford the very food they produce and for small farmers to be competitive in the markets otherwise dominated by corporate agribusiness.¹⁴

The power of the individual and their community to choose the food they eat and how it is produced is essential to food sovereignty. As FoodFirst activist Eric Holt-Gimenez writes, the goal of food sovereignty is to ensure that “people, rather than corporate monopolies, make the decisions regarding our food.”¹⁵

Food, Biopower, and Control

Because food constitutes our basic biologies, the power to change and control our food can easily translate to the power to change and control our biologies. With choices, we are able to come closer to being masters of our own biologies, but modern industrial agriculture has distanced production and restricted information about the make-up of our food, severely limiting the actual choices consumers can make about their food and, thus, their biologies. While packed supermarket shelves give consumers the impression of an infinite number of choices, the basic ingredients of almost all of those “choices” actually reduce the options to a very few corporate-owned, -produced, and -processed crops. By taking advantage of subsidies, policies, and shrewd business practices, major agribusinesses can keep food prices so low that other local or regional products cannot compete, leaving a few powerful giants to monopolize our food choices and, thus, our biologies. As Foucault argues, control of biologies is an extraordinarily effective form of governing. As food not only contributes to our biologies but also helps form and shape our cultural identities and national connections, control of food is control of how we are and how we view ourselves. We are led to ask, “Who is *really* in control?” Who is really in control of our identity as both biological beings and nationally-aligned beings?

GMOs

One of the most controversial tools of the corporations who dominate conventional food systems is the genetically modified organism, or GMO. GMOs are organisms whose basic genetic makeup has been altered by biotechnological manipulation of its genome. Plants have been engineered to yield more food per unit, to better survive adverse conditions, to produce their own insecticide, and to be more nutritious, among other things. There is much debate around GMOs, their efficacy, their safety, their ethical use, and their impact on the natural world, and it is precisely because of this debate that I use them in this paper to explore violations of food sovereignty.

No one can say for certain the guaranteed impact of the GMOs. Many claim they can save the world from hunger by boosting yields, resisting crop disease, reducing needs for insecticides, and improving nutritional content.¹⁶ Critics point out observable environmental impacts, the perpetuation of injustices against small farmers, disregard for local knowledge systems, and the potentially harmful economic and legal effects of cross pollination. In September 2012, the question of GMO effects on human biology came to the forefront of international news when French scientists released a report claiming rats fed GMO corn variety, MON603, and Round-Up herbicide were far more likely to develop cancerous tumors.¹⁷ The methods and findings were questionable, but the study and the controversy surrounding it brought to light the fact that unbiased long-term research examining the biological effects of GMOs has yet to be done. Since food contributes significantly to our biologies, GMOs are an appropriate thread with which to trace how food sovereignty is inherently linked to biopolitics and, ultimately, sovereignty in the political science application of the word.

GMOs in the World

Despite much questioning of the scientific rigor of the French study, Russia immediately banned the import and sale of Monsanto's GMO corn after the study's release.¹⁸ The fear of possible biological harm is not the only motivation for countries to take action against biotech companies. GMO crop production often requires intensive input in the form of chemical pesticides and fertilizers, as well as annual seed-use "renewal" fees and farmer access to fields and markets large enough to compensate for expenses. In other words, GMO production can be expensive, financially dangerous for small-scale farmers, and environmentally destructive, as seen in the aftermath of India's "Green Revolution." According to BBC, "Some 200,000 farmers have committed suicide in India since 1997. Drought, a fall in crop prices and an increase in the cost of cultivation are cited as reasons for the farmers' plight."¹⁹ After implementing GMO production on a large scale through small farmers across India's farmland, India has seen farmer suicides increase in response to enormous debt incurred from annually purchasing seeds and chemical inputs needed for GM crops and seeing once productive farmland ruined by irresponsible and intensive monoculture practices and international agricultural trade rules.²⁰ The power of the biotech companies' products to lead people to take their own lives is an extreme but real example of their biopolitical clout.

In response to the results of the Green Revolution, some countries are attempting legislative and legal action against major agricultural and biotech corporations. For example, India has now charged Monsanto with "biopiracy," an unprecedented move against the biotech giant for using a local variety of eggplant in a new, patented, genetically engineered version.²¹ Additionally, France, Switzerland, New Zealand, Ireland, Germany, India, Peru, and others all have some sort of restriction on GMO crops or foods based on everything

from fear of diminishing biodiversity to avoiding the deleterious effects of industrial agriculture on agriculture-based economies. Despite the attempts of these countries, a recent WikiLeaks cable indicates that Monsanto has political power to push the U.S. government into “military-style trade wars’ against countries that reject Monsanto GMOs.”²² Furthermore, there have been cases of unintentional cross-pollination and seed contamination that are grounds for biotech companies to sue farmers essentially for stealing their patented genes. The dispersal of the product, for example via natural pollinators, is uncontrollable, which means that the consumption of it is too. Even upon banning GMO products from the country, remnants linger, seed has been sown, the genes are present in the environment and are moved across borders regularly, violating the idea of the control of borders associated with many definitions of sovereignty.

Biotech companies have also been known to distribute their products through charitable organizations such as non-governmental organizations (NGOs) in the aftermath of disasters or during famines. Distribution in this way introduces to a vulnerable people a system that is dependent on continual purchasing of biotech products. Vandana Shiva, environmental activist and author, argues, “It was not just through food aid but agricultural aid and changes in food production that America intervened in the political affairs of the third world.”²³ She continues, “Food aid and trade has become a significant destabiliser in societies that do not accept American hegemony.”²⁴ Corporate agriculture has accrued significant economic power by working in line with interests of U.S. hegemony and (or such as) by using trade agreements such as the North America Free Trade Agreement (NAFTA) to import and foster dependency on subsidized U.S. GM products. This approach can and has eliminated biodiversity and competition in poorer regions of the world. In cahoots with the forces behind international trade policies, disaster aid, and large-scale implementation without foresight, biotech corporations undermine sovereignty of bodies, borders, and nations with their GMO products, limiting alternatives and fostering dependency.

Mexico’s Tortilla Crisis

This effect is particularly noticeable in Mexico’s 2007 “tortilla crisis,” or the situation wherein millions of Mexico’s daily tortilla eaters could not afford to buy the staple food made from corn, or maize. According to La Via Campesina, “The current crisis is the result of two basic forces: almost 25 years of misguided policies, and a short-term coincidence of interests between neo-liberal officials, grain companies like Cargill, and the biotech seed industry.”²⁵ The signing and implementation of NAFTA in the 1990s allowed for speculation and corn market control by multinational grain trading companies such as Cargill. This in addition to a new U.S. demand for grain ethanol, led to a spike in corn prices. The high price motivated an increase in corn exports from Mexico, raising the prices and diminishing the supply of corn in Mexico. As

a result, prices of tortillas, traditionally made from corn, tripled across Mexico.²⁶ The result was a fully fledged “tortilla crisis,” by 2007, in which people who traditionally ate corn tortillas as their main form of sustenance could often not afford to do so.

The impact in Mexico was significant. Lorenzo Mejía, president of a tortilla makers trade group, explained, “When you talk about Mexico, when you talk about culture and societal roots, when you talk about the economy, you talk about the tortilla.”²⁷ Government response was “—as suggested by large corn brokers—to import more than 800,000 tons of corn from the United States and other countries.”²⁸ This, in turn, led to an increase in U.S. subsidized corn on the Mexican market, beating out “an estimated 2 million” Mexican corn producers.²⁹ According to the *New York Times*:

The assumption was that tens of thousands of farmers who cultivated corn would act “rationally” and continue farming, even as less expensive corn imported from the United States flooded the market. The farmers, it was assumed, would switch to growing strawberries and vegetables—with some help from foreign investment—and then export these crops to the United States. Instead, the farmers exported themselves.³⁰

Many farmers left their farms and moved into the cities or over the border looking for work and better pay.

Monsanto, DuPont, and Dow, seizing the opportunity to insert their products into a corn-loving, corn-growing nation, applied for planting rights to sow the MON603 corn, the same strain accused of contributing to cancer in rats in the French study. Biotech seeds’ purported superior yields—between 10 and 15 percent more than conventional strains³¹—appear, on the surface, to be a solution to uncompetitive prices and the exodus of peasant farmers in search of a livelihood.³² According to a La Via Campesina press release from November 22, 2012, “In the next few days, the multinationals Monsanto, DuPont and Dow are expecting a positive response from the Mexican Government to sow 2.4 million hectares of GM maize in Mexico, a surface area equivalent to that of El Salvador.”³³ Mexico’s Unión de Científicos Comprometidos con la Sociedad (Union of Scientists Committed to Society, UCCS) issued a statement in response to the “Imminent approval of large-scale planting of GMO corn” in November of 2012.³⁴ According to the statement, the process for granting growing permits to biotech companies “has not been transparent and has lacked a truly public or scientific discussion, or consideration by the affected sectors of society (peasants, farmers, consumers).”³⁵ The statement continues, highlighting the potential harm of the introduced crops: “GMO corn has become the spearhead of agricultural and economic practices that are deeply damaging to the social and agroecological fabric that underlie traditional agricultural practices in this part of the world.”³⁶

Then-president Felipe Calderon postponed the decision to accept the biotech companies’ applications for growing rights, leaving the task to his

replacement, current President Enrique Peña Nieto.³⁷ Press releases and news stories report that the government is expected to consent to this planting in the spring of 2013. However, with recent WikiLeaks cables revealing the clout Monsanto and company hold in influencing U.S. foreign relations and policies, some question the amount of “consent” involved in the decision.³⁸ The UCCS writes:

At the heart of this regulatory failure is the inability of the Mexican Government to reject the promotional stance forced upon it by transnational corporations, and its failure to implement a precautionary stance with rigorous scientific bases and without a conflict of interest in order to protect the environment and the society with which it is entrusted.³⁹

Such a victory for the biotech company would be a difficult and possibly devastating loss for corn growers who have fought the intrusion of genetically modified corn into their traditional agriculture methods and markets. Corn domestication originated in Mexico over seven thousand years ago. Over time, farmers have selected for certain traits that benefit both the grower and consumer. With thousands of varieties, Mexico is the center of maize biodiversity. Activists worry that the hybrid genome of GM corn will dominate or contaminate many of the existing varieties. Such contamination might render many varieties extinct or unusable. Besides sidelining thousands of years of work and genetic histories, limited biodiversity is risky in any situation as mutations resistant against a yet-unknown future crises may have been contained within the extinct varieties. The biodiversity of the current maize genome has protected generations; a Tzotzil Maya elder told Cultural Survival, an indigenous peoples’ advocacy group, “During the past five centuries, while our people have withstood suffering—enormous sufferings—our corn has allowed us to survive.”⁴⁰ The UCCS’s statement declares, “Mexico is not only the cradle of corn . . . but it also stewards one of the few Centers of Origin and Diversification, from which the world derives the genetic diversity needed to maintain its production in the mist of new plagues, climatic challenges and consumption preferences.”⁴¹ If a particularly potent pathogen ever strikes the monocropping practices and transgenic seeds of Monsanto have frightening potential to doom peasants to future years of exasperated hunger and economic strife.

In addition, some argue that the genetically modified corn pending sowing is not an appropriate replacement for native varieties in Mexico. For one, the statement from the UCCS declares that large scale GM agriculture “uses hybrids that are nutritionally inferior to landraces (i.e., higher glycemic index, less fiber, less antioxidants, etc.)”⁴² For another, the genetically modified corn destined for Mexico will not increase production yield, argues Alejandro Espinosa Calderon, program coordinator of Agriculture and Food of the Unión de Científicos Comprometidos con la Sociedad and researcher at the Seed Production and Technology at the National Institute for Forestry, Agriculture and Livestock (INIFAP).⁴³ The corn is designed for and has been tested in environments significantly different from those of the corn-growing regions

of Mexico. Calderon explains that the corn is designed to be pest resistant to pests that have not bothered Mexican corn growers to any noteworthy extent, and that irrigation and other infrastructure needed to support the particular genetically modified corn being introduced are not in place in Mexico.⁴⁴ He asserts, “México puede producir más de 50 millones de toneladas de este grano por año, podemos ser autosuficientes. [Mexico can produce more than 50 million tons of corn a year, we can be self-sufficient].”⁴⁵ A study from Tufts University’s Global Development and Environment Institute agrees with his assertion, explaining, “Mexico has the potential to regain self-sufficiency in maize relatively quickly based on existing technologies and without relying on transgenic maize varieties.”⁴⁶

To add to the controversy, the culture of Mexico is heavily based on generations of corn production and consumption. As cultural theorist Bethaney Turner of the University of Canberra writes, the resistance of communities to genetically modified products “represents a struggle to maintain economic rights and control of their products in response to concerns that transnational corporations may seek to patent local Mexican corn varieties,” since these varieties are important to their economy, their cuisine, and their culture as Mexicans.⁴⁷ Corn tortillas are the main source of protein for many Mexicans, and corn is, in some form or another, eaten with almost every meal. In 2005, Miguel Ramírez, a teacher in Oaxaca where corn is central to the economy and culture, told the *New York Times*, “For us, maize is in everything: tamales, tacos, tortillas, pozole . . . For us it’s sacred.”⁴⁸ The Tufts University study reports, “More than 59 maize native races are grown in medium to marginal land as specialized ingredients of regional cuisines, including more than 600 preparations as food and beverages, including some 300 types of tamales.”⁴⁹ Not only that, but “there are strict correlations among native maize landraces and food preparations,” as in regionally-specific food recipes, tastes, and habits are closely linked with the local corn varietal.⁵⁰ “Its growing cycle influences the timing of festivals. The image and shape of maize is a ubiquitous component of architecture and crafts. Spiritually, physically, and economically, corn sustains indigenous peoples,” declares an article from *Cultural Survival*.⁵¹ In 1992, the *Los Angeles Times* ran an article about how growing corn is part of Mexican national heritage. The article explained:

Mexicans call themselves the “children of corn,” descendants of people whose religious pantheon included three corn gods. Cornstalks were common patterns in ancient Mexican art. Statues of the Aztecs’ hairless dogs had corncobs carved in their mouths, the way the English place apples in the mouths of roasted pigs.⁵²

The article, written over a decade before the tortilla crisis and 2012’s biotech gains, went on to argue, “the specter of low-priced northern corn inundating the Mexican market is seen not just as a trade issue but as a threat to the national heritage.”⁵³ By coming in as an outside entity and exploiting economic situations exasperated by trade policies such as NAFTA, Monsanto and

company are aggressively inserting their agents into the prime position of corn production. From there they can alter and, ultimately, control and even own a foundational element of Mexican culture.

The threat of an America biotech corporation to alter or even patent the biologies that have shaped and been shaped by generations of Mexican people is an example of how Monsanto and company can undermine the sovereignty of a state and a people. Additionally, by planting GMO seed in Mexican soils, Monsanto is essentially introducing biological “agents” that can foster indefinite dependency on Monsanto products. Even supplying GM corn as food aid, a seemingly innocent and benign gesture, can change the corn culture: in 2001, scientists found GM corn in Oaxaca’s mountain fields and concluded that “the alien corn found here probably came from American food imports distributed in government stores for the poor and planted by local farmers.”⁵⁴ Incidences like this one are threatening to traditional corn growers because, as the UCCS statement cites, “transgene flow from such plantings would occur up to thousands of km via pollen and seed . . . and such GM corn plantings would imply the infiltration and accumulation of transgenes into the genomes of landraces, with unpredictable and non-desirable consequences.”⁵⁵ Because sovereignty is anthropocentric, the biological “agents” that are GM seed or any other introduced genetic material are largely not considered threats to control and authority by decision-making officials.

Conclusion

As we can see in the case of Mexico, not only do biotech companies’ products such as genetically modified organisms and the chemical inputs needed to grow these crops have an uncertain and possibly detrimental effect on human biology, traditional agricultural methods, and regional food customs, but the neoliberal markets and policy through which they enter a country equally undermine the “sovereignty” of that nation. Claiming benign intentions despite repeated cases of dependence-fostering and economic and environmental destruction, biotech companies capitalize on U.S. military, political, and economic interests, trade policies such as NAFTA, crises relating to agriculture and food, “food aid” through non-governmental organizations and federal institutions such as USAID, and the unsuspecting power of GMOs released into a hitherto uncontaminated environment.

A country that cannot claim control over the foundational elements of national identity is not sovereign. A country that cannot claim power over the food that contributes to the biologies of its people is not sovereign. And a country that is subject to the whims and mercies of a foreign biotech corporation and cannot control the presence of foreign bodies, human or otherwise, in its own borders is not sovereign. Corporate biotech products are a Trojan horse for subversive biological agents, which establish themselves and the intentions of powerful companies that created them in the people, in the culture, and in the nation.

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The Changing Face of Self-Determination:

A Catalanian Case Study

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Abstract

Understandings of the legitimacy of self-determination movements have shifted since the beginning of the 20th Century. Two of the most influential theories to emerge regarding the right to sovereignty are the Primary Right and the Remedial Right of self-determination. The discourse of these two opposing theories is examined through the contemporary Catalanian secession movement.

Introduction

Following the First World War and the disintegration of Europe's empires, many national leaders advocated self-determination as a means of creating democratic post-imperial governments. Since then, conceptions of sovereignty and legitimacy have undergone significant transformations in the face of new political concerns. Many theories of how to either create a government or to secede from an existing government have been proposed by intellectuals and politicians because no uncontested international authority exists to govern the proper process of self-determinism.

Over the past five months, many of the people of Spain's Catalonia region have expressed their desire to secede from the rest of Spain. Though tensions have existed between the Madrid-based Spanish Government and the north-east Spanish region of Catalonia for hundreds of years, recent events have made a referendum on Catalanian secession increasingly likely. While this secessionist movement may seem to represent a strictly national issue, the movement is motivated by international economic conditions and raises significant questions for the international status of a potential Catalanian state, the European Union (EU), and the role of self-determination in the European political system. Accordingly, this paper will examine the EU's treatment of regional secessionist movements within member states, analyzing the current political situation in Catalonia as a case study. It will address the Catalanian movement's greater ramifications for the political makeup of Europe, arguing that current EU policy indirectly discourages secessionist movements in member states. In addition, this paper will place the Catalanian case within

the framework of self-determination theory. I will undertake this analysis of the Catalan case in five steps by: 1) providing an overview of the primary and remedial schools of self-determinism theory; 2) offering a brief historical survey of relations between Barcelona and Madrid; 3) analyzing the policy stances of Catalonia, the national Spanish Government, and the EU toward Catalan secession; 4) describing the evolution of the disagreement from September to December of 2012; and 5) assessing the legitimacy of a Catalan secession referendum through the lenses of plebiscite and remedial self-determinism and offering the implications of this secession for Catalonia, Spain, and the EU.

I. The Primary and Remedial Rights of Secession

The issue of self-determination poses a fundamental question of legitimacy. Political theorists concerned with this question attempt to determine under which set of conditions a case of self-determination is legitimate. For the purposes of my analysis, I will examine two competing theories of secession: the Primary (or Plebiscitary) Right theory, and the Remedial Right theory.

The Primary Right Theory of secession offers a strong theoretical justification for the democratic self-determination of a people. To theorists such as Daniel Philpott, “self-determination is inextricable from democracy; our ideals commit us to it.” According to these theorists, the right to self-determination represents an *a priori* obligation to individuals’ autonomy “so long as any change is peaceful and orderly, consistent with standard liberal rights, and does not involve any unjust taking of territory or unfair terms of separation.”² This conclusion reflects self-determination’s central role in the institution of democracy that encourages autonomous individuals to participate in the political system.³ If a democratic system lacks an option for the expression of the autonomy of certain parts of its constituency, it lacks credibility. To oppose the will of a group of individuals within a territory who desire a greater measure of political independence contradicts the spirit of democracy itself. This *a priori* obligation in favor of a Primary Right to self-determination, moreover, holds practical implications beyond these ethical arguments.

Proponents of the Remedial Right to self-determination argue that a Primary Right approach does not offer a real world solution to issues of self-determination, that it encourages proliferation of secessionist claims, and that it can lead to an increase in violent conflict. In response to the Remedial Right’s limitations, Primary Right theorists attach qualifications to the legitimacy of secession movements. For example, they maintain that there must be “reason to believe that the standard liberal rights of all concerned will be respected, when the danger to peace and security is minimal.”⁴ This constitutes an important qualification because a Primary Right understanding of self-determination addresses tangible concerns that may not be considered under a Remedial understanding of the issue. Most notably:

Groups that (could) organize and win a referendum on secession but are denied independence under the remedial right only theory might themselves pose a danger to peace and security. And a rule that makes exit too difficult might undermine the practice of democracy on the part of a nonsecessionist national majority. With the threat of secession out of the way, such a majority might feel little incentive to listen to alternative perspectives and legitimate grievances advanced by a minority group.⁵

These disputes are rooted in disrespect for democratic ideals. Without engaging the concerns of pro-independence minority groups, international institutions risk discrediting institutional democracy and the ideals that it upholds.

Opposed to Primary Right theories of self-determination, a Remedial Right theoretical perspective assumes that for a secession to be legitimate, a wrong must first be done to the seceding populace. In his influential article on the subject, "Theories of Secession," Allen Buchanan argues that a Remedial perspective justifies secession under the conditions that either "i) the physical survival of its members is threatened by actions of the state . . . or ii) its previously sovereign territory was unjustly taken by the state."⁶ This approach attempts to delineate a set of rules that can be readily applied to reality, and does not depend on a set of immaterial "foundational rights" to make legitimacy claims. Not only do Remedial theorists claim that their solution to resolving self-determination legitimacy disputes is more real world, but they also hold that Primary Right arguments "undermine the practice of democracy by making exit too easy and thereby discouraging the exercise of voice."⁷ The Remedial Right theorist, then, is more concerned with a highly deliberative democratic system with concrete, clearly defined criterion for legitimizing secession claims, rather than an idealistic theory that depicts a world "so radically different from our world [that it] cannot provide valuable guidance for improving our institutions."⁸

Scholars' relative valuations of ideals and institutional realities ultimately define the debate between Primary Right and Remedial Right theorists. The Primary Right to secession, on the one hand, identifies as its first priority the fundamental right of autonomous individuals to select their own political representation. This issue lies at the heart of both the question of self-determination and the broader institution of democracy central in liberal governmental philosophy. The Remedial Right theory, on the other, presents a definite framework through which institutions can consistently evaluate the legitimacy of secession claims. While this perspective does not particularly emphasize the democratic right of individuals, it implicitly encourages democracy while providing a more stable international political arena than one that inspires fragmentation. With these two theories of secession in mind, I will now present a case study of Catalonia's recent claims to secede from Spain on the regional, national, and European levels.

II. History of Catalanian Sovereignty

Catalonia has been seeking independence from Spain for centuries. From Catalonia's failed rebellion against the Spanish crown in the mid-17th century to its resistance to suppression of its regional culture during the mid-20th century under Francisco Franco, Spanish-Catalonian relations have remained antagonistic. Despite the region's relative autonomy, particularly following the death of Franco in 1975, these long-term political and social disputes survive in the Catalonians' collective consciousness.⁹ Recent economic disputes, products of the larger European economic crisis, have notably reignited the historical antipathy between Catalonia and Spain.

The Spanish Constitution was drafted in 1978, in the wake of Franco's death, and took effect in 1979. From a governmental perspective, the Constitution's third chapter of its eighth section gave special legal privileges to the so-called autonomous communities of Spain. Though the constitution's acknowledgment of the Spanish region's autonomy "has no *direct* legal consequences as the constitution does not specify which territories fall into which category and all subsequent rules and regulations use the term 'autonomous communities,' the provinces themselves, such as Catalonia, have been allowed a high degree of regional decision-making power."¹⁰ In 2006, moreover, the "Draft of New Statute of Autonomy for Catalonia of 2005," officially labeled Catalonia as a "nation." The subsequent Statute of Autonomy, which further empowered Catalonia's regional governmental institution, the Generalitat de Catalunya, was controversially approved that year, thereby supplanting the original 1979 statute. Ultimately, though the regions, specifically Catalonia, are accountable to the national government on a variety of issues, they hold a constitutional guarantee of autonomy and far-reaching regional political jurisdiction.¹¹

III. Stances: Barcelona, Madrid, and the European Union

The regional government of Catalonia and the national government of Spain each hold clearly defined, profoundly divergent views on the prospect of Catalanian secession. Against a backdrop of historical resentment, Catalonia appeals to the concept of national self-determination. Moreover, to legitimize further its secessionist claims, Catalonia condemns Spanish fiscal practices that have disproportionately affected the Catalanian economy in the midst of the broader European economic crisis. Economic issues have proven particularly salient as "the recent surge in secessionist support is closely tied to Spain's economic crisis."¹² Furthermore, the rise in Catalan nationalism represents "a reactionary response to the erosion of many of Catalonia's traditionally distinguishing features," such as the attenuation of small businesses, which makes finding a job increasingly difficult for young adults.¹³ Moreover, despite its status as Spain's wealthiest region, Catalonia remains the most heavily in debt with a fiscal deficit of 8%.

When Catalonia applied for a five billion euro bailout from the central Spanish Government, however, “in the minds of many Catalans, the region was simply asking for its own money to be fairly returned.”¹⁴ This common perception reflects the fact that “under the current fiscal system, Catalonia collects taxes from its residents, but turns them over to the central government, which then disburses a designated amount to each region to pay for [public services]. In 2009 . . . Catalonia provided 19.49% of the federal government’s tax revenue, yet received only 14.03% of the state’s spending.”¹⁵ Many Catalonians, in turn, blame this discrepancy for the region’s large deficit. It is Catalonia’s substantial net-contribution to the Spanish economy, however, that drives the national government’s desire to retain the region.

The secession question is further complicated by Catalonia’s desire to remain in the EU after it secures its independence. Since a member state has never broken up after acceding to the Treaty on European Union, no legal or policy precedent has been established for the EU in case of a secessionist movement. While the EU has remained ostensibly neutral on the secession issue, its economic policies have directly precipitated the recent upsurge in public support for Catalanian secession. These issues will be further addressed later in this section.

Despite Catalonia’s economic concerns, Madrid insists that Catalonia remain a part of Spain for political and economic reasons. First, the current Spanish constitution explicitly characterizes regional secessionist movements as illegal, despite massive support for secession from Catalonia’s citizenry. In Catalonia “the pro-independence parties are banking on the idea that a referendum . . . [could win] support for negotiation . . . If there were . . . an overwhelming [pro-independence] majority . . . Catalonia might [be able] to pressure Madrid into negotiating a revision of the constitution that would allow for legal separation.”¹⁶ Even under these circumstances, a constitutional amendment seems highly unlikely, however, because “the process would be long and economically costly, and would delay a recovery. Any constitutional reform would also be politically risky for the country’s biggest parties amid the crisis.”¹⁷ Second, Catalanian secession would “handicap the central government economically . . . [by removing] a big portion of its tax revenue.”¹⁸ The already weakened Spanish economy could not handle the shock of losing a fifth of its national GDP. This economic threat in the midst of the broader European economic crisis, in conjunction with the unconstitutionality of regional secession, has informed Madrid’s hardline stance against Catalanian independence. The current situation, ultimately, “is not only an economic and social crisis, but really an unprecedented regime crisis that calls into question the [Spanish] state . . . and the very shaky democratic system that [Spain has] today.”¹⁹ Catalonia has fundamentally challenged the basis of the Spanish state and constructions of “Spanish” identity.

The issue of Catalanian secession is a matter of obvious national and sub-national importance within Spain. What, then, is the significance of the European Union to this policy dispute? Since, as mentioned above, the EU has no

policy precedent specifically regarding secessionist movements, is the EU a neutral actor? Comments made by EU officials have suggested such neutrality. Commission spokesman Olivier Bailly, for example, observed that “part of an EU member state seeking to secede [is] ‘first and foremost an internal matter within that member state.’” Similarly, President of the European Commission Juan Manuel Barroso suggested that “if there is a new state . . . that state has to apply for membership and [negotiate] the conditions with other member states.”²⁰ Despite such statements, however, current accession procedure implicitly discourages secessionist movements specifically because non-EU members seeking membership are compelled to apply to the EU for membership.²¹ The ability of individual member states unilaterally to veto accession states’ membership applications represents a serious shortcoming in the legitimacy of the EU’s accession procedure, both historically—in the cases of Macedonia and Croatia—and with regard to Catalonia.

Currently, the EU cannot unilaterally acknowledge a regional secession claim within a member state. More importantly, according to Article 49(2) of the EU Treaty:

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.²²

While intending to promote decision-making equality, this procedure deters secessionist movements because existing member states will almost certainly veto the accession of their seceding regions; Spain, for example, seems surely to veto such a Catalanian application. Despite the fact that former regions of member states necessarily comply with the *acquis communautaire*, their legitimate accession to the Treaty on European Union will almost certainly be denied due to their former government’s lingering resentment. Furthermore, this treaty provision does not only discriminate against hypothetical secession countries; in the cases of Croatian²³ and Macedonian²⁴ accession, rival states actively blocked their accessions based on existing international disputes.²⁵ Disagreements such as these call into question the fundamental procedural legitimacy of the European Union. While pro-enlargement states profess a commitment to “liberal democratic community-building, which emphasizes the collective identity, norms, and values across Europe,” the institutional reality suggests a different set of values based on intergovernmental competition, favoritism for states with politically unconsolidated populations, and a rejection of national self-determination.²⁶ The EU’s stance is further complicated because its economic policies have proven the major cause of pro-independence sentiments within Catalonia.

These procedural and economic realities affect debate in Catalonia and Spain today. The Spanish Government can afford to take a hardline stance

against Catalanian secession because it enjoys the veto power to deny an independent Catalanian accession to the EU. Without the economic benefits of EU membership, secession is unappealing to Catalanian elites. At the same time, politicians such as Catalanian regional president Artur Mas have continually asserted that “if the Spanish state is completely against a [referendum], then the European Union will support the democratic will of the Catalan people.”²⁷ Whether these comments are to be construed literally or are merely intended to strengthen Catalonia’s bargaining position in its future dealings with Madrid is unclear. Even so, statements like these have nevertheless fueled Catalanian nationalism and desire to break from the rest of Spain.

IV. The Current Debate

Over the past four months, the opposing ideological and economic stances of Barcelona, Madrid and the EU have played out on both the national and supranational levels, beginning with “some 1.5 million people . . . taking part in Catalonia’s annual independence rally in Barcelona” on September 11, 2012.²⁸ This strong manifestation of Catalanian nationalism, at an event that usually draws closer to fifty thousand supporters, set the stage for talks between Barcelona and Madrid in mid-September regarding the distribution of tax revenue to the region. When these talks predictably failed, governmental discourse in Catalonia shifted squarely to the prospect of independence.²⁹ In reaction to this massive surge in favor of regional autonomy, Alejo Vidal-Quadras, a vice-president of the European Parliament and senior member of the Spanish Popular Party, expressed the unsaid thoughts of Madrid, suggesting “they should be briefing a General of the Civil Guard . . . the government should think of intervening in the rebellious region if they persist.”³⁰ Vidal-Quadras’s explicit reference to military intervention in the event of a referendum on Catalanian independence drew international criticism. Nevertheless, it reaffirmed Spanish intent to retain the region by any means necessary to prevent further injury to the Spanish economy.³¹

October 2012 greeted Spain with the Catalan government’s polling center showing an increasing number of Catalanian citizens in favor of secession from the national Spanish Government. This number, in fact, has doubled since the beginning of the European economic crisis, and represents roughly 57% of the Catalanian population.³² Despite this strong popular support, the Spanish Parliament blocked the motion for a regional referendum on independence within days of the polling results’ publication.³³ Like Vidal-Quadras’s comments did the month before, Madrid’s rejection prompted calls to broaden the scope of the Catalanian debate beyond Spanish borders. No voice more loudly echoed this sentiment than Catalonia’s regional president, Artur Mas, who asserted that Catalonia “must internationalize the conflict,” and that Spain’s refusal of Catalan national self-determination signified “a very big problem of democratic legitimacy.”³⁴ Mas’ challenge to Spain’s authority and his attempt to broaden the context of the debate were met with vague

responses from the EU regarding its role in interstate politics. Still, this call to “internationalize” a secessionist movement *within a member state* poses a significant challenge to EU lawmakers, as a member state of the European Union has never broken up while a member. Regardless of Spain’s refusal and the EU’s apparent ambivalence despite its economic role in promoting Catalan nationalism, Mas claimed on October 16 that Catalonia would conduct a referendum on its independence within two years.³⁵

In November, Artur Mas called early regional elections in an attempt to gain the seats in the regional parliament required for an absolute majority for his *Covergencia i Unió* (CiU) Party. These elections elicited “the highest voter turnout ever in Spanish regional elections.”³⁶ While the results announced that the parliamentary distribution favored pro-independence parties 87 to 48, however, Mas’s ruling CiU Party lost twelve seats, in part due to the party’s conservative economic platform. Mas confirmed that his plan to hold a referendum would continue; even so, this redistribution of parliamentary seats meant that the CiU lacked an absolute parliamentary majority and needed to focus on forging a coalition with other pro-independence parties.³⁷ As of December 13, 2012, reports emerged that Mas and CiU had struck a deal with the Catalan Republican Left (ERC) that a referendum would be held in 2014 to coincide with the Scottish referendum on independence from the United Kingdom.³⁸ This timing of the referendum is clearly deliberate, and serves as an explicit example of the international nature of contemporary European secessionist movements. It is still unlikely that this referendum will prove successful, however, since EU accession procedure would leave an independent Catalonia without the prospect of EU membership. The loss of this international market may prove too damaging to the Catalanian economy to make secession feasible.

V. Implications of Secession for Catalanian Sovereignty

Issues of self-determination are seldom straightforward, and the process that determines their legitimacy has shifted dramatically from unipolar sovereignty to a growing respect for the sovereignty of ethnic groups. The absence now of a definitive process for acknowledging secessionist movements reflects, in part, the circumstance that governments “while embracing the rhetoric of free will and self-constituting states . . . have simultaneously ensured that the legal right to self-determination, at least in the sense of secession, is strictly rationed and cannot ever be invoked against the state they represent.”³⁹ How, then, does the case of Catalonia, situated in the context of the multi-tiered European political system, fit into the greater dialogue between the Primary and Remedial Right theories?

Proponents of the Remedial Right theory, on the one hand, would note the Catalanian scenario meets neither of Buchanan’s criteria for a legitimate secession, as the contemporary central Spanish government in no way constitutes an unjust state. First, the physical survival of Catalanian citizens has never been under threat. These citizens, in fact, enjoy a very high degree of

political independence on both the regional and national levels as an autonomous community of Spain. Secondly, Catalonians would be hard pressed to demonstrate, without plausible challenge, that their previously sovereign territory had been unjustly taken by the state. While Catalonia was conquered in 1714 by King Philip V of Spain in the War of Spanish Succession, the region has remained, relatively contentedly, under Madrid's rule for the past three centuries. Following the death of Franco in 1975, Catalonia acceded to the new Spanish Constitution in 1979 which clearly states that the Constitution "is based on the *indissoluble unity* of the Spanish Nation, the common and *indivisible country of all Spaniards*; it recognizes and guarantees the right to autonomy of the nationalities and regions of which it is composed, and *solidarity amongst them all*."⁴⁰ This constitutional agreement to remain legally bound to the Spanish government suggests that the recent upturn in pro-secessionist sentiments is motivated not by a wrongdoing of the state, but rather by discontentment with the current Spanish and, indeed, European economic crisis. If that is the case, a Remedial theorist would not deem Catalanian secession from Spain legitimate.

A Primary Rights theorist, on the other hand, would enthusiastically advocate the Catalanian people's right to secede from the national Spanish government. According to the Primary Right theory, a majority vote by Catalonians in favor of independence would strongly suggest that an autonomous Catalanian state constitutes the only solution that adequately expresses the will of the people and validates democracy's foundational ideals. It is evident from this perspective that, in order clearly to avoid violent conflict from dissenting groups, a Primary Rights approach should be taken. This argument resonates with Spanish historical experience, for example, with the now-defunct Basque Homeland and Freedom (ETA) terrorist group having killed nearly 1,000 people from 1958 to 2011 in its attempt to gain freedom for the Basque region of Spain.⁴¹ If a Primary Right perspective were taken in the case of Catalanian secession, a secession that is admittedly unlikely prospect, the region would experience a self-determined break from the rest of Spain.

Despite the low likelihood that Catalanian secession will be realized, the movement has the potential to affect Europe in a variety of ways. Catalonia would undeniably experience substantial change if it were to secede. While it would accomplish its nearly 300-year goal of separating from the Spanish crown, Catalonia's post-secession economic future is a point of contention among economists. Some economists claim that Catalonia has superior business practices and investment strategies compared to the rest of Spain. If true, Catalonia could reduce its debt and experience significant economic growth.⁴² Meanwhile, other economists assert that "secession would lead to major losses . . . independence could cut the region's GDP by as much as nine percent, even if the new state were allowed to remain in the EU and in the euro zone," which could do significant damage to the fledgling state's economy.⁴³ Since the majority of Catalonia's trade is conducted with other Spanish regions, a failed EU bid could prove disastrous.

From a Spanish economic perspective, moreover, the prospect of an independent Catalonia would prove highly costly, and could force Madrid fundamentally to reassess its economic base.⁴⁴ Finally, even if Catalonia does not ultimately secede from Spain, its strong show of regional nationalism could potentially alter the organization of the Spanish Government through a constitutional revision. One of the most likely answers to Catalanian political and economic complaints “would be for Spain formally to embrace federalism . . . Federalism would mean each region was equal, with the same rights and obligations . . . A . . . more feasible alternative would be to accept that some regions . . . should have more autonomy than the rest and be recognized as cultural nations within Spain.”⁴⁵

Beyond the potential regional and national Spanish repercussions, the Catalanian independence movement could significantly affect European politics in two ways. First, a successful regional secession followed by accession to the EU could inspire other European regions with secessionist tendencies. This domino effect could affect both other Spanish regions, such as the Basque country, and other European regions within existing EU member states such as Scotland, Flanders, Bavaria, or Kosovo. Second, regardless of the outcome of Catalonia’s accession process, the EU might be prompted to alter its accession procedure regarding member states’ veto power. If Catalonia’s membership were vetoed, the rest of the European Union could be left wondering why a wealthy, homogenous state that met all EU accession requirements had nevertheless been denied entry.

Conclusion

The Catalanian secessionist movement represents a highly salient contemporary issue for the politics of the European Union and the redefinition of sovereignty and legitimacy in the 21st century. As an issue of national and subnational concern, the status of Catalonia might initially appear relatively insignificant when viewed within the larger context of the European political system. Nevertheless, the prospect of Catalanian secession fundamentally challenges the legal and institutional makeup of the EU. Ongoing developments in the Catalanian case, moreover, raise significant near-term challenges for European policy-makers. Despite the EU’s apparent ambivalence toward subnational movements, the role of its economic policies in prompting secessionist tendencies in Catalonia is noteworthy. The future of the northeast Spanish region should draw the very close attention of EU member state authorities from Belgrade to London, from now until the referendum on Catalanian independence in 2014.

Catalanian secession from Spain begs the question: under which set of conditions is secession legitimate? When viewed from the perspectives of Primary and Remedial Right theorists, observers are led to different conclusions over the movement’s legitimacy: the Primary Right approach suggests that the Catalonians’ democratic mandate justifies a break; the Remedial Right approach, by contrast, warns that secession from a just state is illegitimate.

Ultimately, regardless of the movement's legitimacy, the secession of Catalonia seems highly unlikely and its accession to the EU virtually impossible, barring massive restructuring of the Spanish constitution and EU accession procedure. Amidst the political and economic climate of the euro crisis, these changes necessary for Catalanian secession from Spain and accession to the European Union will almost certainly not be made.

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Spaces of Exception and Suspended Logic: *Redefining Agamben's Biopolitical Paradigm on Sovereignty, Law and Space*

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Abstract

One of the arenas that best illustrates contemporary issues surrounding the scope of sovereign authority is found in international prisons, where a unique and insidious overlap between time, space, and law results in what Giorgio Agamben calls spaces of exception. It is within the paradoxical space of the camp that Agamben has identified the state of exception to exist, where those inside are reduced to *bare life*, stripped of all political and legal status at the mercy of the sovereign. He describes the state of exception as a permanent, lawless void outside the grasp of juridical hands, which allows for anything to happen within its borders. Focusing largely on Agamben's *Homo Sacer: Sovereign Power and Bare Life* and drawing upon historical examples of concentration and death camps during the Holocaust, as well as the continuing struggle over Guantanamo Bay, I challenge Agamben's theories regarding the immutable and lawless nature of these spaces. I propose that spaces of exception are in fact saturated with law rather than devoid of it, the result of a meticulously orchestrated dynamic across multiple sovereigns, and that such spaces are mutable and performative, subject to change and resistance. By expanding on Agamben's philosophical paradigm on spaces of exception, I implore to the reader that those within the camp must be recognized as human, despite what the law may label them, in order to create the change that Agamben does not believe to be possible.

Planes of Existence

Meeting the cold embrace of a December afternoon in 1943, Primo Levi emerged from a train he had been traveling on for days amid a mad crowd. The space of every compartment had been completely consumed with the lives of dozens—men, women, and children—all deprived of light, food, and water for the duration of the passage. The stock cars had been tightly packed with the masses of confused and aching bodies, with nowhere to relieve themselves and only whispers of a name for where they were going to eat. They had entered the train with a name, an identity, a family; when they stepped into

the traitor of daylight, they were no one, greeted by a swarm of guards who did not hesitate to deliver sharp blows were orders not followed. This, truly, had been a picture of hell. Levi did not know where they had been taken or for what ends, and for some around him, the answers would never be known. The passengers were asked their age and health in broken Italian by the guards. According to their answers, they were divided into one of two queues then loaded onto open trucks and driven toward the camp. A single phrase was illuminated over the entrance: "Arbeit Macht Frei." Levi passed under the refrain that was to haunt his thoughts as often as dusk passes into dawn. He and everyone else who entered would never be able to leave behind the memories both within and that transcended the physical boundaries of the camp. They were stripped, doused with water, shaved, and assigned numbers by the guards; they were made bare. Whatever remnants of who these people were had been lost long before they arrived. "Work Gives Freedom," the arch of words read. How could one ever be free if they were no longer a person?

Welcome to the camp, or what Italian philosopher Giorgio Agamben has deemed today's "juridico-political paradigm," a space where fact and law have become so inbred that it is impossible to distinguish one from the other.² It is within the paradoxical space of the camp that Agamben has identified the "state of exception" to exist, where those inside are reduced to *bare life*, stripped of all political and legal status at the mercy of the sovereign. He describes the state of exception as a permanent, lawless void outside the grasp of juridical hands, which allows for anything to happen within its borders.³ In what follows, I shall refute such claims through a critical analysis of Agamben's work, in particular focusing on how it is the saturation of law in these spaces that allow for their continued existence. In addition, I propose that spaces of exception are not the result of a single sovereign or nation-state, but in fact the product of a dynamic network of transactions and decisions that propagate across the world. Finally, I want to address the dynamic element of space, to contest Agamben's claim that such states are permanent physical forms and present them as mobile, performative, and thus permeable to efforts of resistance. I intend to focus on a critique of Agamben's *Homo Sacer: Sovereign Power and Bare Life* and his political theology; however, this is by no means dismissing the importance of his work, but rather attempting to build upon the foundations of it. By doing so, I hope to illustrate how people like Levi are still people and not hollow objects, despite their inclusion in the space of exception.

The Grey Zone

Agamben's *Homo Sacer* describes a contradiction that shifts between the sovereign, the figure of *homo sacer*, and the space of exception, all of which are simultaneously inside and outside the juridical order of the nation.⁴ The sovereign is essentially placed above the law and is thus vested with the power to legally suspend itself from such. The sovereign can therefore create and

maintain any law as they see fit, which is what Agamben refers to as “situational law.”⁵ Such measures of power stem from what Agamben attributes to German philosopher and political theorist Carl Schmitt’s identification of the “state of emergency,” whereby a nation’s sovereign has the ability to suspend certain laws and individual rights in order to protect the nation. From here, the state of exception is created, as these individuals are then outside of normal laws and made the exception. Agamben briefly describes two instances of colonial war by the Spanish in Cuba and the British Boer War as examples where colonial warfare has extended a state of emergency to an entire population of civilians, with the sovereigns utilizing the concentration camp as a space for detaining the insurrection. Thus, he says, “The camps are born not out of ordinary law . . . but out of a state of exception and martial law.”⁶ It is the authority and word of the sovereign that allows for the creation of such a state, according to Agamben, placing “him” in a zone of indistinction where he is neither subject to nor excluded from the law, rather, “The sovereign structure of the law has the power to create a space of exception in which fact and law are indistinguishable.”⁷ It is the paradoxical nature of the sovereign figure that allows for the creation of a space where law and human rights cannot touch those within its borders.

The sovereign in turn creates the next contradictory element of Agamben’s state of exception: the figure of *Homo Sacer*. The status *homo sacer* is an element of ancient Roman religious law, bestowed upon a man who has broken a sacred oath, which renders him the property of a deity.⁸ It is within this definition he enters the paradoxical state: the act he has committed is deemed so offensive that his life is worthless. He cannot be sacrificed for his life has no value, however he can also be killed without impunity. The actions of the state have removed him from its protection, as he is now a possession of the divine; he has moved into a space where his existence literally bears no significance. He has been reduced to *bare life*, “life devoid of value.”⁹ Such people are not simply removed from the law but are *abandoned* by it, exposed to a threshold where life and death become one and the same. Having identified the man who transcends law and fact, Agamben then goes on to ask, “What then, is the life of *homo sacer*, if it is situated at the intersection of a capacity to be killed and yet not to be sacrificed, outside both human and divine law?”¹⁰ It is then we enter the realm of the camp at the height of Third Reich in Germany, the point at which Agamben defines as the modern bio-political order of the sovereign. Here is where the “life” of *homo sacer* becomes realized in the form of *Schutzhaft*, a classification of protective police custody whereby any individual may be detained independent of criminal behavior on the grounds that they are rendered a security threat to the state.¹¹ This is where the rights and lives of people are lost to the paradox of the state of exception.

The declaration of a state of emergency is transformed into a state of exception, where suspensions of logic and law are validated. When this state becomes the rule, it then passes into a space of exception with the creation of the camp, where the physical perimeters issue a space to both hold and erase

the lives of those deemed the exception. Agamben argues that, “In the camp, the state of exception, which was essentially a temporary suspension of the rule of law on the basis of a factual state of danger, is now given a permanent spatial arrangement, which as such nevertheless remains outside the normal order.”¹² The camp itself is independent of juridical regularity, becoming what Agamben describes as a hybrid of law and fact overlapping to the extent that neither is discernable from the other, meeting at the same threshold as *bare life*.¹³ This is the intersection where sovereign political decision may operate in absolute indistinction from fact and law. The extermination camps of the Nazi regime signal the pivotal distinction of the modern bio-political paradigm for Agamben, where *bare life* erases the legal status of those within the space of exception and where they become the objects of the raw power exercised by the sovereign.¹⁴ The will of the distinguished sovereign produces these “permanent” spaces that comprise a space of exception, where “not only is law completely suspended, but fact and law are completely confused—everything in the camps is possible.”¹⁵

An Excess of Law

It is clear that Agamben sees the space of exception as defying the realm of the judiciary, but how could such a space exist without the careful manipulation of the law itself? Certainly, there is an absence of specific laws—those pertaining to political rights of the citizen, for instance—but this does not mean that the law has been completely removed from the space of exception. What is paramount to distinguish is the difference between certain laws being suspended and certain *responsibilities* being suspended; it is in the act of removing the latter that allows for the circumvention of legal issues within the camp. These are not spaces floating beyond the perimeters of law where they cannot be touched, as Maurizio Vito, a Professor of Political Theory at the University of Oklahoma, said, “A state punishment, such as the death penalty, is only possible if the law opens up a space that has been defined as a ‘state of exception’ . . . That space . . . inherently belongs to the law.”¹⁶ It would be impossible to maintain a space for such atrocities without a meticulous understanding and application of the legal system.

Let us examine the birth of the camp to begin exploring the presence of law within a space of exception. Agamben himself states that the camps were born out of martial law.¹⁷ Thus, their very creation rests in the basis of a legal statute; granted, martial law allows for the suspensions of certain political rights and freedoms, but this would not be possible without a law in place to authorize the application of such sanctions. What rights exactly are being suspended in such a decree? This traces back to the definition of *Schutzhaft*, the protective custody whereby persons could be detained regardless of illicit behavior. These people were simply labeled a “security threat to the state” which warranted the basis of their internment. The origin of this profiling lies

in Prussian Law from 1851, when the state of emergency came into judiciary existence. Article 48 of the law states:

The President of the Reich may in the case of grave disturbance or threat to public security and order, make the decisions necessary to reestablish public security, if necessary with the aid of the armed forces. To this end he may provisionally suspend the fundamental rights constrained in articles 114, 115, 117, 118, 123, 124, and 153.¹⁸

This means the Fuhrer has the legal discretion to suspend rights such as personal liberties, freedom of expression and assembly, and the inviolability of the home/postal/telephone privacy for an *indefinite* duration of time. Without the legal underpinnings of the state of emergency, it would be near impossible to establish a space of exception without significant opposition. As Vito states, "It is the rhetoric of fear that makes the state of exception possible, because it is through the spread of fear that such laws can be enacted."¹⁹

Law not only gives rise to the conditions that facilitate the establishment of spaces of exception, but also provides the scaffold that maintains them. There are numerous examples of this, stemming from the Third Reich and beyond. Consider the legal apparatus that allowed for Adolf Hitler's rise to power: The Enabling Act granted him the authority to do most anything, which included going as far as altering the Constitution where he saw fit. Combined with the state of emergency declared by the Fuhrer only days before the Act was passed, he possessed the legal muscle to circumvent other juridical branches and began his own extra-legal programs, which included the development of the extermination camps.²⁰ There is of course the example of what Agamben has identified as today's central embodiment of the camp: Guantanamo Bay.²¹ The entire imperial history of Guantanamo Bay has been littered with legal disputes, being palmed over by the British, French, Soviets, and Americans throughout its existence. The focus here is on the United States, whose history with Guantanamo began with the Platt Amendment in 1903. This act legalized U.S. intervention in Guantanamo Bay and limited Cuba's rights to enter treaties or set up reforms there without U.S. consent.²² Thus, as Political Geography Professor Derek Gregory has said, Guantanamo is a "legally constructed space of exception."²³ The bay was leased to the U.S. for the sole purpose of providing a coaling and naval station as a strategic location en route to the Panama Canal. However, there were two cunning legal implications in the language of the lease. First, it granted the U.S. jurisdiction over Guantanamo Bay, while overall sovereignty still lay in Cuba, creating hampering ambiguity over the area. Next, the lease could only be terminated if both parties agreed to such, something the U.S. would certainly not consent to given the tactical benefits of the space. It is precisely the legal paperwork that grounded Guantanamo under U.S. jurisdiction, thus allowing for its transformation into a space of exception and serving as the foundation for enacting various laws in the future that would allow for the suspension of basic human rights there.²⁴

This is why Marxist academic China Mieville has characterized Guantanamo as “neurotically superlegalized.”²⁵

From here, the legal implications that support the prolonged existence of a space of exception only continue to rise to the occasion, exemplified by Guantanamo since its inception as a detainment camp in 2002. Guantanamo Bay was, of course, not used for its leased purpose by the Bush Administration, but rather came to be a prison camp for suspected terrorists, primarily those from the Middle East.²⁶ This was the perfect place to hold detainees precisely because it was not a U.S. territory or possession, since America did not hold sovereignty, but jurisdiction, over the bay. Prisoners could be held outside the reach of federal legal powers that could enact *habeas corpus* specifically so that detainees could be legally disentitled to the right to a fair trial. The U.S. could hold prisoners with little validity in relation to the War on Terror, and they could—and can—do so indefinitely. The U.S. had and has complete control. When the U.S. Supreme Court ruled jurisdiction to hear *habeas corpus* from Guantanamo Bay detainees, the extra-territoriality, as dictated by the legal implications of the lease, denounced this, for it was not under the sovereignty of the U.S. Then, when the Geneva Conventions ruled that the U.S. had breached the limitations of questioning prisoners of war, President George W. Bush declared that terrorists were not subject to such, and circumvented international law by legally labeling those at Guantanamo as “security detainees” instead of POWs.²⁷ Finally, when the U.S. came under fire for utilizing torture techniques at Guantanamo, the sanctions of international law were dodged because it applied to areas outside of U.S. jurisdiction. Thus, because Guantanamo Bay was also legally within the U.S., according to the U.S. Code of Conduct (as “all places and waters under U.S. jurisdiction”), the U.S. was not committing a criminal offense.²⁸ Agamben neglects to address the powerful juridico-political transactions that envelope the birth and maintenance of spaces of exception in *Homo Sacer*. This is not to suggest he is wrong to state that certain laws are suspended within these spaces; there is certainly enough evidence to insist that those within the camp are stripped of not only specific political rights, but also their humanity, and it is the dismissal of certain aspects of the law that allow for such atrocities. However, it is the very nature of the legal system that perpetuates the exception, resulting in these spaces as anything but lawless. The careful wording, legal standing, and definitions that make up these spaces are utilized in the most fastidious of ways by the sovereign to allow for such acts to be permitted. This is the answer to the question of the camp posed by post-Marxist political theorist Ernesto Laclau:

Do these people actually end up “being outside the law?” Obviously not. The outsider does not need to be outside any law. What is inherent to the category is only the fact of being outside the law of the *city* (emphasis added).²⁹

This last sentence brings to light the next point: the spatiality of the state of exception and the law.

Extraterritoriality

It is crucial to understand how the persistence of a space of exception is intimately linked to its relationship with the law, and it is these mechanisms that have enabled the existence of the exception for so long. However, another caveat in Agamben's work on the state of exception endures. Simply put, he describes states working independently to produce these spaces: the space of exception is physical, permanent, and limited to its spatial boundaries as designated by a single sovereign. However, what about the reality of international law? These spaces are confined neither to their physical perimeters nor to a single sovereign. Their existence cannot be defined as the result of one man's decision or his word. Spaces of exception are the result of mobile networks that are responsible for a web of decisions, transactions, and movement that work together to create and maintain the camp. Rather than viewing the space of exception as static and impenetrable, envisioning and understanding them as permeable and dynamic allows for a better understanding of how they are permitted to operate and how to prevent further manipulation of such space.

Geography Professor and scholar George Henderson has described "place" as a part of an undifferentiated *space*, which itself is identified by its cultural and subjective meanings. It is transformative with discrete boundaries, and, just as with all things, changes over time.³⁰ It is therefore essential to think of a space of exception in the same way, contrary to Agamben's statement that the sovereign "has monopoly over the final decision."³¹ We cannot consign that much power in the sovereign. Political Geography and Environmental theorists Bruce Braun and James McCarthy have proposed that we "presume a world in which humans effectively exist and act as alone."³² However, citizenship is not just a law or politics but a "myriad of non-human actors and entities."³³ They go on to state:

Neither Agamben nor those who draw upon him, for instance, seem to conceive of the relations between sovereigns and citizens, or between citizenship and bare life, as situated and occurring in a more-than-human world in any way that matters.³⁴

We award too much power to those labeled as the sovereign. It is not one person or entity alone who makes the ultimate decision, and as Braun and McCarthy make clear in their article "Hurricane Katrina and Abandoned Being," there are forces beyond human nature that certainly play into the creation of the exception, ignoring the physical boundaries that may be present. It is necessary to step back and see the bigger picture of actors and entities involved in the workings of the camp.

International law may be idealistic in nature, certainly some have stated that its failure may even lie in that it does not live up to its idealism, but it nonetheless holds the signatories of the Geneva Conventions responsible for actions taken against its articles.³⁵ The examples pertaining to Guantanamo as listed above outline this, and the United States' circumvention of the law

does not mean that America is not still subject to international law for other actions. International law persists and applies to any signatory at a time of armed conflict. To create a space of exception, there must first be a declared state of emergency—such as the many decreed in America throughout the War on Terror—and thus international law can permeate even the most concrete perimeter of any camp. International law itself is fairly ambiguous, maintaining no discernable sovereign figure, yet has the authority to apply the law across the globe. This presents a caveat in Agamben's argument for the ultimate power of the sovereign's decision, as Gregory proposed in "Vanishing Points," "If the state of exception is also the *space* of exception, it is so because of an articulation of *multiple* spaces of juridico-political violence and an exception."³⁶ Any single space of exception is the result of more than one state's decision and one state's laws—its origins and existence span across a much wider range of actors than Agamben accredits.

Agamben's argument concerning the spatiality of the camp is also problematic because the examples he draws upon are all physically *outside* of the state of the sovereign. Moreover, all extermination camps were located inside Poland, which is clearly not within the sovereign state of Germany. The same goes for Guantanamo, which is outside the United States' borders in Cuba. It is precisely the fact that these spaces are located outside the very borders of the nation-state that such flexes in legal muscle can be exercised to permit their existence. This spatialization through extraterritoriality is what makes possible a zone where anything can happen, suspending itself from normalcy.³⁷ The space of exception is therefore both figuratively and literally placed outside not only the realm of the city, but the entire nation itself. In its own physicality, the space of exception is transnational, mobile, and dynamic. The implications of situating a space of exception beyond the borders of sovereign authority returns to my earlier statement that it is not so much a removal a laws that is of consequence, but rather the removal of responsibility. There is no more fitting way of removing responsibility than shipping that which is the exception physically away from oneself.

The spatiality of the camp then plays an important part in the dismantling of legal constraints that surround its existence. As Gregory said, "coercive state power is continually mobilized beyond national sovereign territory and the rule of law," which produces "a zone where law and fact are indiscernible, it is a zone of indistinction where the legalized and extralegal cross over into one another."³⁸ Again, this is the removal of responsibility, not only from the sovereign of the originating nation-state, but also from all transnational entities that play a part in preserving a space of exception. Take, for example, the continued War on Terror in Iraq and Afghanistan; the hiring of private contractors to carry out interrogation and intelligence operations removes liability from both domestic and transnational law on behalf of the U.S. The influence and participation of actors outside the domestic borders, and thus the very spatiality of the space of exception, is a central part of its schematics.

Finally, keeping in mind the transnational nature of the camp, consider how Agamben's argument holds up against the prisoners in the camp themselves: how did they get there? One must ask where the prisoners came from. The guards, the police, the arrests, and the railways all illustrate the Gregory's claim that "law and violence are not opposed, but hold each other in deadly embrace."³⁹ The transportation, acquisition of space, development, and out-sourced hiring across borders present the space of exception as transformative and dynamic. How could such spaces exist otherwise? Geographer Trevor Paglen presents an intriguing approach that performs in conjunction with the mobility of the camp through his work with Terminal Air, an organization that tracks the paths of planes used through the CIA's rendition program.⁴⁰ What is interesting about Terminal Air's work is its efforts to expose "black sites" operated by the CIA. Essentially, these flying sites open and close at different times in different spaces to interrogate "suspects" flown in and out of respective black sites, which allows for the CIA to continually evade the reach of federal and international law.

These sites pose as civilian companies to evoke the façade of an everyday business, but these companies and their employees leave no paper trail or legal documents for their flights. Everything traces back to a single P.O. Box in Virginia under what Paglen can only discern as people and flights that do not exist in the real world.⁴¹ It is the spatiality of the camp, the space of exception, and these black sites that allow for the creation of *homo sacer* en masse; it is what removes responsibility from the sovereign in order to produce the exception while allowing for the application of the law within these spaces. It is for this reason, Gregory states that because "all regimes around the world invoke national security to suppress human rights, we are all, potentially, *homines sacri*."⁴²

Performing the Exception

A final and crucial point to emphasize regarding the space of exception is the dynamic nature of the space itself. Agamben's suggestion that the space of exception is permanent and void must be examined further, for any space, just as any person and any thing, is transformative. If we understand the space of the camp to be a static one, then we must also believe Agamben when he states that resistance movements have no effect on such spaces; they will exist in perpetuity because they are situated in a zone of indistinction. This is a dismal fate to accept on behalf of humanity, and the antithesis of how these spaces need to be viewed precisely in order to enable resistance against them. As Historical Geographer of Cuba Simon Reid-Henry has proposed, "the point is that such geo-political or legal anomalies as Guantanamo Bay are never 'non-places.'"⁴³ Think of the historical and geographical histories of such spaces that have traced and produced these transformations; it is the imperial, violent, and spatial pasts of the spaces of exception that have affected their changes. Instead of visualizing the camp in a fixed physical form, Human Geography Professor Claudio Minca suggests to think of it as a negation of parameters.⁴⁴

As he states,

The symbolic space of the camp . . . allows for an extraordinary exhibition of muscle . . . [the space of] exception thus becomes a powerful metaphor for the constitution of a new geographical imagination within which, beyond and despite all international laws and institution, the arbitrary play between the suspension and exercise of the norm becomes a *taken-for-granted part of the functioning of global politics*.⁴⁵

By understanding the space of exception as active and performative, the power of resistance can be realized.

Comprehending space as active assists is crucial to understanding the composition of the camp. Consider post-structuralist and feminist philosopher Judith Butler's work on "speech acts" and its illocutionary relationship with the speaker, whereby our words are seen as a "doing" or an action. In the act of speaking, we are engaging in a social arena where our words set into motion any number of consequences. We can therefore see how the space of the camp is the result of what Butler refers to as hate speech: "Hate speech is understood not only to communicate an offensive idea or set of ideas but also to enact the very message it communicates: the very communication is at once a form of conduct . . . If the state allows for the injury of its civilians, the victim of hate speech becomes a stateless person."⁴⁶ It is the performative action of words that create the space of exception; it is this speech act which dictates whose life is seen as valuable and whose is not, whose death is lamentable and whose is meaningless. The space itself is then set in motion by a vast network of transactions and decisions that play their part in constructing and protracting the space of exception. This is expressively illustrated in Gregory's passage, stating that,

This performative space works *through* law to annul the law; it is not a "state of exception" that can be counterposed to a rule-governed world of "normal" politics and power. It is, at bottom, a process of *juridical* othering that involves three overlapping mechanisms: the creation of special rules that withdraw legal protections and permit . . . torture . . . the calculated outsourcing of war crimes to regimes known to practice torture; and the exploitation of extra-territorial sites where prisoners are detained and tortured at the pleasure of the sovereign.⁴⁷

The labeling and alienation of groups of people set forth a series of performances by the legal and political systems that work in tandem to strip such groups of their humanity through the process of *othering*. Even the careful terminology of "detainee" rather than "prisoner" has serious implications as already detailed above. However, what is paramount to bear in mind is the performative and dynamic aspect of space, remembering that it is subject to change regardless of what Agamben says. Think again of Guantanamo Bay: it was met with legal opposition throughout its existence as a camp. It was made

visible and the actions within it understood to be wrong. Because it has been drawn to public attention through continued legal opposition, more will come to it, and change is possible. This ongoing battle would have occurred if no opposition had been met, for that is the point where the exception becomes accepted as Agamben's definition of the norm. Space is mutable and transformative, and that is why it is also susceptible to defiance both within and outside the perimeters of the camp.

Approaching the Vanishing Point

What Primo Levi described as the space of the camp draws upon one of the most disturbing episodes against humanity. It evokes physically and mentally upsetting thoughts that are difficult to reflect upon, especially for those directly involved in such atrocities. Despite what Agamben has argued, we must always consider such people as subjects and not the objects of legal maneuvering that they have been depicted as. Rather, by analyzing Agamben's theory on spaces of exception, three major provisos emerge from his argument that require further consideration: First, contrary to Agamben's work, the space of exception is not an intangible area floating outside of reach consumed with reckless abandon from the law. Only through the intimate relationship that exists between the juridical and the political can such space exist. The legal right of the sovereign to declare a state of emergency creates the state of exception, making possible a point where the careful application of the law also creates a space of exception within that state.

Second, the sovereign does not act alone in relation to the space of exception. The vast range of actors that are at work in and around the space is what makes it so dynamic; from the transportation of detainees, the specific physical place of the camp, to the outsourcing of interrogation and intelligence practices, the space of exception is set into motion. This is quite literally true in regards to the CIA's moving black sites that take the mobile network of the space a step further. It is because of the camp's involvement in such dynamics that it can continue to subsist and why its prisoners can remain in such depravity. The meticulous and superfluous application of the law, both federal and international, would not be possible without the permeable nature of the space's borders, all of which combined illustrates just how expansive these operations are.

Finally, it is the performative nature of the space that cannot be forgotten if change is to occur. When Agamben states that these spaces are permanent, he implies that there is no hope in ever preventing or ceasing their existence. These spaces are transformative, from their imperial and geographic histories, to their creation as a camp. The sovereign does not hold an ultimatum in the decision-making; the speech acts that Butler spoke of cannot be limited to one authority figure as there are a myriad of actors and entities that hold responsibility for the creation and operation of spaces of exception. Through the careful speech act of labeling prisoners as detainees, these networks can

manipulate the law to use the space as they see fit for their production of *the other*. Recognizing the implications of such terms, actors, and the space of exception itself can enable change simply by recognizing the possibility. To think that resistance is ineffective is both dangerous and cynical, for it also presumes that we *ourselves* cannot change. In neglecting the space the possibility of opposition, then we allow the exception to be made a reality, which it need not and should not be. Agamben's work in *Homo Sacer* and *State of Exception* are by no means being refuted by what I have said here. His work should be read carefully and considered for its truly momentous work on the existence and inner-workings of the state of exception. However, building beyond his framework, it is pertinent to recognize how inextricably linked law is to the space of exception in order to understand how to affect change across it.

Remember the atrocities committed at Auschwitz and other extermination camps during the Holocaust. Think of Levi's struggle to remember that he was even human when faced with the nature of the camp. Then remember that spaces such as that still exist today. People like Levi still exist today. What is important to understand is that those in these spaces are people, not objects or numbers, but people. We must never forget this, even if a law defines them otherwise. Let us remove the distinction from the damned and the saved that too many have drawn in the camp and elsewhere to exact the change we need to see.

Notes

1. Primo Levi, *Survival In Auschwitz* (New York: Touchstone of Simon & Schuster Inc., 2006), 13–23.
2. Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford: Stanford University Press: 1998, first published in Italian in 1995), 109.
3. Ibid.
4. Ibid., 12.
5. Ibid.
6. Ibid., 107.
7. Ibid., 20.
8. W. Warde Folwer, "The Original Meaning of the Word Sacer," *The Journal of Roman Studies* 1 (1911): 57.
9. Agamben, *Homo Sacer*, 89.
10. Ibid., 48.
11. Ibid., 107.
12. Ibid., 108.
13. Ibid., 109.
14. Ibid., 113.
15. Ibid., 109.
16. Maurizio Vito, "La Morte Come Pena: Law, Death, Penalty and the State of Exception," in *State of Exception: Cultural Responses to the Rhetoric of Fear*, ed. Elena Bellina et al. (Cambridge: Cambridge Scholars Press, 2006), 26.
17. Agamben, *Homo Sacer*, 107.

18. Ibid. 107–108, and Vito, “La Morte Come Pena,” 31. Agamben describes here the origins of Prussian Law in order to illustrate how Nazis could detain civilians without due prudence. However, it is this aspect of the legal system that allows for the state of exception to come into being, thus contradicting his claim to the absence of law in such events.
19. Vito, “La Morte Come Pena,” 30.
20. William Shirer, *The Rise and Fall of the Third Reich* (Touchstone Edition, New York: Simon & Schuster, 1990), 159–62, 168–70.
21. Giorgio Agamben, *State of Exception*, trans. Kevin Attell (Chicago: University of Chicago Press, 2005, first published in Italian in 2003), 3–4.
22. Simon Reid-Henry, “Exceptional Sovereignty? Guantanamo Bay and the Re-Colonial Present,” *Antipode* 39, Issue 4. (2007): 636.
23. Derek Gregory, “Vanishing Points,” in *Violent Geographies: Fear, Terror, and Political Violence*, ed. Derek Gregory et al. (New York: Routledge, 2007), 207.
24. Derek Gregory, “The Black Flag: Guantanamo and the Space of Exception,” *Geografiska Annaler* B89 (2006): 411, and Simon Reid-Henry, “Exceptional Sovereignty?” 638.
25. China Mieville, “Multilateralism as Terror: International Law, Haiti, Imperialism,” *Finnish Yearbook of International Law* 19 (2008): 75.
26. Author’s Note: The mentioning of the specific Administration that enacted these measures is intended to enhance the accuracy of this paper. It is not intended as a criticism or congratulation of any actions that the Bush Administration or any other administration may have taken. The focus of this paper is on the legality of a space of exception, and not to single out those who caused them.
27. Gregory, “Vanishing Points,” 222.
28. Gregory, “Black Flag,” 415.
29. Ernesto Laclau, “Bare Life or Social Indeterminacy?” in *Sovereignty and Life*, ed. Matthew Calarco et al. (Stanford: Stanford University Press, 2007), 11–22.
30. George Henderson, “Place,” in *The Dictionary of Human Geography, Fifth Edition* ed. Derek Gregory et al. (Blackwell, 2009) 539–41, accessed November 5, 2010, <http://www.geog.ubc.ca/courses/geog345/lectures/>.
31. Agamben, *Homo Sacer*, 12.
32. Bruce Braun and James McCarthy, “Hurricane Katrina and Abandoned Being,” *Environment and Planning D: Society and Space* 23 (2005): 804.
33. Ibid.
34. Ibid.
35. Mieville, “Multilateralism as Terror,” 69–72.
36. Gregory, “Vanishing Points,” 209.
37. Claudio Minca, “The Return of the Camp,” *Progress in Human Geography* 29 (2004): 409.
38. Gregory, “Black Flag,” 412.
39. Gregory, “Vanishing Points,” 211.
40. “Terminal Air,” last modified July 16, 2008, <http://www.appliedautonomy.com/terminalair/index.html>.
41. Ibid.
42. Gregory, “Vanishing Points,” 229–230.
43. Reid-Henry, “Exceptional Sovereignty?,” 632.
44. Claudio Minca, “Agamben’s Geographies of Modernity,” *Political Geography* 26 (2007): 83.

45. Minca, "The Return of the Camp," 410.
46. Judith Butler, *Excitable Speech* (New York: Routledge, 1997), 72–73.
47. Gregory, "Vanishing Points," 226.

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The Outbreak of Kurdish Rebellion: *A Study of Kurdish Violence in Turkey and Syria*

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Introduction

The research question that I intend to explore asks the question: “why do some ethnic minority groups facing discrimination resort to violence while others do not?” In order to further understand this theoretical question, I plan to examine the cases of the Kurdish minority groups in Turkey and Syria and ask: “why did Turkish Kurds pursue violent means toward their goal of greater autonomy while Syrian Kurds did not?” I selected these two cases as the focus of my research because of the similarities between the two minority groups. Both Turkish and Syrian Kurds identify as members of the same ethnic group, sharing a common culture and language. In both countries, ethnic Kurds make up a significant minority (10% in Syria and 20% in Turkey) and face substantial political and cultural discrimination.¹ Furthermore, the Kurdish populations in both countries are geographically proximate to one another, with significant interaction between the two groups, ensuring their familiarity with each other’s strategies and organization. Due to these similarities in background, the fact that only one of these two countries has produced a violent conflict poses a puzzle for political scientists. Therefore, this research paper aims to identify different factors that have resulted in the violent rebellion perpetrated by the Turkish Kurds and the relative quiescence of the Syrian Kurdish population.

This research question is important both in terms of its direct policy relevance for the Kurdish populations of Turkey and Syria as well in its potential to identify general causal factors for ethnic violence. While this study will primarily focus upon the explanations for the outbreak of Kurdish violence in Turkey and the lack of Kurdish violence in Syria, the paper will also address the implications of the current political unrest in Syria. By examining the causes that have resulted in the relative passivity of Syrian Kurds despite a history of discrimination, this paper will help analysts determine whether or not the current changes are likely to create conditions more conducive to violence from the discriminated Kurdish minority. Moreover, by identifying some micro-level causes of ethnic violence, this paper will add to the current literature on conditions for ethnic violence and will aid future research on the causes of ethnic violence. This essay finds that the relationship between the Kurdish Worker’s Party (PKK) and the Syrian government is the best indicator of Kurdish violence in Syria and Turkey. More specifically, strong ties between

the PKK in Turkey and the Syrian government result in higher levels of violence in Turkey and lower levels of violence in Syria.

Background: Grievances

The Kurdish populations of Turkey and Syria each have substantial grievances. In both countries, they are marginalized in the prevalent nationalist rhetoric of the ruling governments. The Kurdish populations in both countries have a distinct language and culture than mainstream society, and in both countries historically, Kurdish expression of culture has been severely repressed. In Turkey, Kurds face “Turkification” pressure, essentially pressure to adopt Turkish culture and comply with restrictions on Kurdish culture. In fact, Turkey didn’t even recognize Kurds as a distinct ethnicity until 1991, but rather referred to the southeastern Kurdish population as “Mountain Turks.”² Kurdish-language publications are censored, Kurdish holidays are forbidden, and Kurdish education is outlawed.³ Similarly, pro-Kurdish political parties are regularly closed and restricted, and Kurdish political leaders are often detained on terrorism charges.⁴ In late 2009, for example, the Turkish Constitutional Court banned a major Kurdish party, the Demokratik Toplum Partisi DTP amid accusations that the PKK had supported PKK separatist behavior.⁵ However, it is important to note that all these barriers disappear for Turkish Kurds willing to embrace Turkish culture.⁶ In Syria, Kurds face even greater discrimination than in Turkey. Syrian Kurds face social discrimination by virtue of the fact that “Syrians have long claimed their country to be the “beating heart of Arabism,” the cradle of modern Arab nationalism.”⁷ These identitive claims are founded in the fact that Syrian and Lebanese Arab nationalists led the fight for Arab independence against the Ottoman Turks during World War I. The Syrian Kurds fall outside Arab national identity, thus comprising a group of “other.”⁸ Around 200,000 Syrian Kurds are barred from Syrian citizenship, robbing them of government services and opportunities.⁹ As in Turkey, teaching Kurdish in Syrian schools is prohibited.¹⁰ Furthermore, Syria has violently repressed celebrations of Kurdish holidays, particularly the Kurdish New Year.¹¹ Finally, Kurdish political leaders and activist in Syria face the risk of indeterminable detention, torture, and even assassination.¹²

Research Method: Levels of Violence over Time

This paper’s analysis spans from 1984, the year when the Partiya Karkerên Kurdistan (PKK)¹³ or the Kurdistan Worker’s Party launched their separatist armed struggle against Turkey, to April 2012, where a rebellion continues to persist in Syria.¹⁴ While Kurdish violence in Turkey has been far more prevalent than violence in Syria throughout the period from 1984–2012, one sees significant fluctuations in the level of violence within both countries. Therefore, this work analyzes these fluctuations as a means to test the robustness of the explanatory capability of each of the proposed hypotheses. After presenting

my hypotheses and the relevant political theory, I test my theories by examining their abilities to account for the differences in violence between Turkey and Syria and their abilities to account for shifts in levels of Kurdish violence within each country. I rely on the historical record of violent conflict in Turkey and Syria to provide the central component of the empirical data.

The period from 1984–1998 serves as the baseline for the empirical data; over these 15 years one sees a clear distinction between the violent strategies employed by Turkish Kurds and the passivity of the Syrian Kurds. 1998 serves as an important turning point with a sharp reduction of PKK violence in Turkey. In 2004, one sees a resurgence in small-scale PKK violence as well as a short-lived outbreak of violence in Syria. In 2010, PKK violence intensified to a level that has continued through 2012. Finally, the Syrian uprising, which began in 2011 and continues to the present, is examined within the context of increased PKK violence. (For more information on levels of violence, please refer to Appendices 1 & 2.)

Hypotheses

Below, I list a series of hypotheses that may account for the outbreak of violence in Turkey and the relative absence of violent conflict in Syria. The hypotheses that I examine are: 1) regime type 2) relation to the West 3) relation of the PKK to the Syrian government 4) geographic concentration of Kurdish populations.

Through my analysis, I find that two explanations, the relation of the PKK to the Syrian government, and the geographic concentration, explain the discrepancy in violent outbreak. However, the hypothesis specifying the relationship of the PKK to the Syrian government proves the most robust, as it is also the best indicator of levels of violence in both Syria and Turkey across time.

Regime Type

The first hypothesis suggests that the differences in regime type explain the differences in levels of violence. Experts are divided on the impact of regime type on the outbreak of violent rebellion.¹⁵ One camp expects democratic regimes to reduce the outbreak of violent activity. Scholars such as Quan Li argue that “since democracy lowers the cost of achieving political goals, groups find costly illegal terrorist activities less attractive.”¹⁶ Because of the greater opportunity cost of resorting to violent tactics, Ted Gurr expects marginalized groups to protest policy through political institutions rather than resort to violent rebellion.¹⁷ Another camp suggests that democratic states are more likely to experience violence due to their inability to absorb the costs levied by coercive violence. Robert Pape takes this stance, that “democracies are often thought to be especially vulnerable to coercive punishment.”¹⁸ Pape also suggests a capacity argument that “attacks may also be harder to organize or publicize in authoritarian police states.”¹⁹ While this capacity argument is popular in the literature on this topic, scholars such as James Fearon and David Laitin believe that this capacity is not related to regime type, but

rather a reflection of state weakness.²⁰ Finally, Lars-Erik Cederman et al. find that regime type has no bearing on the outbreak of civil wars.²¹ In sum, the evidence on the impact of regime type is divided between those who believe that democracies are less likely to experience violent rebellions, more likely to see violent rebellions, and those who do not think that regime type has any significant effect on violence.

The structural factors of this case study imply support of the second camp; that democracies are more vulnerable to violence. While Turkey has a legacy of a republican parliamentary democracy, Syria has traditionally been under authoritarian rule. Therefore, the higher levels of violence in Turkey seem to indicate support for this theory, that *H1: Turkey's democratic regime structure may provide for a more favorable environment for rebel groups, resulting in higher levels of violence*. I offer three reasons why a democratic regime may make violent tactics more likely: 1) democratic principles give Kurdish aspirations greater legitimacy, 2) democratic regimes allow for more space to organize and make rebellion less costly, and 3) democratic states are more susceptible to terror tactics.

First, Turkey's stated commitment to the protection of individual human rights grants legitimacy to Kurdish aspirations for equal status before the law.²² In essence, under this model, Turkey's liberal framework establishes the public grievance through which the rebel groups can create a political culture and justify their violence tactics.²³ A second related point highlights that Turkey's respect for individual rights granted the Kurdish minority space to organize violence that was simply unavailable in Syria. Holding all grievances for rebellion equal, Turkish Kurds had higher expectations of the likelihood of success of potential rebellion than did Syrian Kurds.²⁴ Third, the fact that violent terror campaigns have proven most successful against democratic states offers a strategic reason for violence against the Turkish democratic regime.²⁵ Due to the acute pressure that domestic audiences can place on their governments, elected officials are more likely to accede to rebel demands. These three reasons share the underlying assumption that a democratic regime will be more susceptible to violent rebellion.

Relations to the West

Turkey's close ties to the West mark a second point of contrast with Syria. Compared with Syria, Turkey had very close ties to the West, as demonstrated by its participation in the North Atlantic Treaty Organization (NATO) and its attempts to further integrate into the European community through its application to the European Union.²⁶ In contrast, Syria's relationship to the West has wavered between "grudging mutual accommodation and outright hostility."²⁷ The "Relations to the West" hypothesis is similar to the regime type hypothesis, suggesting that rebel violence is more likely issued against democratic governments, where rebels have greater opportunity due to international human rights norms limiting effective counterinsurgency responses. Beth Simmons writes on the impact of these normative limitations, arguing,

“states are increasingly held to account by international civil society.”²⁸ Moreover, the costs imposed by this normative pressure were not applied equally. As Jessica Stanton finds, “rebel groups facing opponents are likely to have difficulty proving the legitimacy of their grievances; their democratic opponents are already likely to be considered legitimate by other international actors.”²⁹ Therefore, this “democratic legitimacy” may have created incentives for the Turkish government to exercise restraint and avoid the normative costs of pursuing violent tactics against the PKK.³⁰ This accountability to international civil society restricted the Turkish government’s ability to engage in coercive retaliation against the PKK, which may account for the higher levels of violence in Turkey. This hypothesis postulates that *H2: states with strong ties to the West may have restricted ability to repress minority groups, thereby providing more opportunity for rebellion.*

PKK Relation to the Syrian Government

The next approach, focusing on the relationship between the PKK and the Syrian government offers the most robust theory in explaining the difference between levels of violence in Turkey and Syria. This hypothesis focuses on the ties between the Syrian government and Kurdish nationalists as the critical explanatory factor for the outbreak of violence in Turkey and the relative peace in Syria. This theory is premised on the following assumption, which I proceed to justify below: *P1: the Syrian government supported PKK separatist goals in Turkey and Iraq, and in return for Syrian support, the Kurdish leadership suppressed any Kurdish violence or dissent in Syria.*

This premise assumes a multipolar model of international politics, where two groups with conflicting interests can put aside those differences for their mutual benefit.³¹ The idea of two enemies joining together against a common foe has plenty of historical precedents. For example, the 1939 Molotov-Ribbentrop secret non-aggression pact between Germany and Russia—two countries with conflicting global goals—demonstrates the theoretical plausibility of a mutually beneficial agreement between the PKK and the Syrian government.³² Nonetheless, at first glance, the goals of the PKK and the Syrian government seem incompatible—the PKK sought to establish an independent Kurdish state with borders that included parts of Syria, while the Syrian government strove to maintain the territorial integrity of a highly nationalistic Arab regime. P1 assumes that despite these different interests, the Syrian government struck a deal with the Kurdish PKK nationalists—Syria would support PKK efforts in Turkey and Iraq to create an independent Kurdistan, and in return, the PKK would suppress Kurdish violence or dissent against the Syrian regime and relinquish claims to Syrian territory.

P1 receives further plausibility from the identification of the incentives for this Syrian-PKK alliance—the premise should identify the benefits each group received which made this arrangement worthwhile for both parties involved. From the Syrian government’s perspective, there was a twofold incentive to support the PKK. First, the PKK’s goals aligned with Syrian goals insofar as the

PKK aimed to weaken Syria's neighbors. If southeastern Turkey seceded into an independent Kurdistan, the Syrian government would grow more powerful relative to Turkey. Stephen Saideman explains the logic of supporting secessionist movements in neighboring states:

"If an adversary has to fight or contain ethnic groups within its boundaries, then it will have fewer resources available to challenge other states. Further, if the supported ethnic group secedes, then the adversary loses territory, population, and perhaps seven significant economic resources, lessening the adversary's relative power."³³

Second, such an alliance pledging PKK support would benefit the Syrian government by reducing separatist tensions within their own country, allowing Syria to reduce the costs of repressing Kurdish nationalism. As Paul Collier stated, "the easiest way for a government to defeat a rebellion may be to buy off some of the officers."³⁴ In some ways, the Syrian government would be doing exactly that: by "buying" the support of the PKK leadership, Syria ensures a docile Kurdish population, despite their cultural and political grievances. On the other hand, the PKK would benefit from Syrian support by the establishment of a trans-border network allowing for greatly increased capacity and effectiveness in their separatist campaign against Turkey. Jessica Stanton highlights the example of the Sudanese government "providing a safe haven and logistical support for rebels challenging the Ugandan government," because it increased rebel capability.³⁵ Finally, with the plausibility of P₁ validated, P₁ may be restated into the form of a testable hypothesis as follows: *H₃: closer relations between the PKK and the Syrian government should be positively correlated to levels of Kurdish violence in Turkey and negatively correlated to levels of Kurdish violence in Syria.*

Geography

The next hypothesis emphasizes the importance of geographic concentration of the populace in determining the feasibility of violent rebellion. Monica Toft clearly outlines this theory, demonstrating that ethnic groups with higher levels of geographic concentration have greater capacity to organize opposition, which in turn leads to a higher likelihood of rebellion.³⁶ Cederman's theoretical work runs along the same vein, by assuming that larger ethnic groups have greater mobilization capacity.³⁷ Finally, Barbara Walter postulates that, "The less difficult it is to organize group members, the more likely a group is to seek self-determination."³⁸ Therefore, Walter would agree with Toft's analysis that under circumstances of high geographic concentration, the lower barriers to organization would make the outbreak of rebellion more likely. The paper derives a hypothesis out of this theoretical framework: *H₄: ethnic groups with greater geographic concentration will be more likely to organize and instigate violence.* Therefore, this hypothesis would expect to see greater concentrations of Kurds in Turkey than in Syria as an explanatory factor for the outbreak of violence in Turkey.

Outline of the Conflict

Next, I provide important background information about the critical events in each period that will be utilized in the data analysis for some hypotheses.

Baseline: 1984–1998

1984 marked the beginning of PKK armed resistance against the Turkish government in an effort to achieve Kurdish independence.³⁹ Over the next 15 years, the PKK leader Abdullah Ocalan turned to terrorist and guerilla tactics, attacking Turkish security forces, Turkish diplomatic installations, and repeatedly attacking unsympathetic civilians.⁴⁰ The PKK concentrated its attacks in the Southeast, and as a result of PKK strikes and subsequent Turkish retaliation, thousands of villages were destroyed and 37,000 people were killed in the fighting.⁴¹ Throughout this entire baseline period, the Turkish government struggled to quell Kurdish violence through repression and remained largely unsuccessful.⁴² Moreover, tensions between Turkey and Syria continued to rise during these years as Turkey accused Syria of supporting PKK terrorism, which the Syrian government denied.⁴³ In this same baseline period, Syrian Kurds remained oppressed under the brutal authoritarian regime of Hafez al-Assad, but did not resort to violent tactics.⁴⁴

Reduction of Violence: 1998

Tensions reached a peak between Syria and Turkey in 1998, when Turkey amassed troops along its border with Syria and threatened to invade the country if Syria did not end its support of PKK terrorist activity and protection of PKK leaders.⁴⁵ Syria backed down, and signed the Adana Agreement with Turkey, in which Syria pledged to end its relationship with the PKK.⁴⁶ A few months later, Turkish soldiers captured Ocalan in Kenya. While originally sentenced to death, Ocalan's sentence was later commuted to life imprisonment.⁴⁷ Finally, in 1999, the PKK, with a captured Ocalan's encouragement, changed its goals from achieving an independent state through violent separatism to winning some level of autonomy through peaceful political means.⁴⁸

Increased Levels of Violence: 2004

In 2004, the PKK once more began carrying out violent tactics against the Turkish government.⁴⁹ Furthermore, violent Kurdish protests broke out in Syria, escalating into riots during which "Kurds were seen burning government buildings and smashing statues of the late Syrian president Hafez Assad."⁵⁰ However, the Kurdish violence was crushed by a well-prepared Syrian regime.⁵¹ Finally, the last critical development in this period was the increased autonomy of the Kurds in Iraq, who fought alongside the coalition forces and overthrew Sadaam Hussein's rule.⁵²

Increased Levels of Violence: 2010–2012

In 2010, levels of Turkish violence soared upward and have continued to increase until today.⁵³ Additionally, by 2011, the PKK had returned to Syria, although “not as openly as in the period when PKK leader Abdullah Ocalan was tolerated.”⁵⁴ Finally, while all indications point to increased PKK violence in the future,⁵⁵ evidence suggests that the PKK has been actively repressing Kurdish violence during the current Syrian revolution.⁵⁶

Analysis of Hypotheses

Regime Change

A careful examination of the evidence provides mixed results and does not effectively explain temporal variation within countries. The 1998 capture of Ocalan works with H₁ (the influence of regime type), as the loss of PKK leadership increased costs to make political venues more attractive. Furthermore, H₁ would expect the increase in violence in 2004 where “Turkey was most democratic compared to the past [and] . . . expanded the domain of freedoms in which different groups could operate more easily in voicing their demands.”⁵⁷ On the other hand, Daniel Byman’s findings challenge H₁, by suggesting that the authoritarian-like repression sparked PKK support and fueled violent outbreak.⁵⁸ David Romano’s findings further question H₁: “when the institutionalized political system [in Turkey] appeared more open, movements willing to operate legally within the system arose.”⁵⁹ However, this political expansion did not exclude violent activity, but rather complemented the political front.⁶⁰ Lastly, Syria’s consistent regime type struggles to explain the outbreak of violence in 2004, and the current violence seems to be correlated to increasing Syrian state weakness, as would be suggested by Fearon and Laitin.⁶¹ In all, the evidence on regime type does not conclusively support H₁. However, the expected change in the Syrian regime to a more democratic government may provide excellent data for better interpreting the impact of regime type on rebel violence.

Relations to the West

While the evidence suggests Turkey valued its close relations with the Western world and was willing to undertake significant domestic costs in order to maintain that relationship, it does not substantiate claims that these close relations were correlated to the levels of violent outbreak in Turkey or Syria.⁶² The evidence does suggest that the PKK did not face the same costs and processes of international censure as did the Turkish government, which may have led the PKK to publicly encourage violent attacks against civilians, against which Turkey could only take limited recourse.⁶³ In contrast, Syria historically had an ambivalent relationship with the West and was far less concerned with Western approval. As such, Syria did indeed face far fewer constraints on repressing opposition leaders.⁶⁴ One sees some evidence that ties to the West affected Turkey’s behavior in 1998 after Ocalan’s capture, after which Ocalan’s death

sentence was reduced to life imprisonment in order for Turkey to abide by the European Union's human rights standards. This decision reflected the Turkish government's desire to avoid international censure regarding human rights, as well as the elevation of yet another Kurdish martyr.⁶⁵ However, neither situation correlates with an expected rise in PKK attacks. Furthermore, contrary to H2, Western pressure has not seemed to help Kurdish violence in Turkey so much as to undermine pro-Western forces within Turkey.⁶⁶ While Turkey's relationship to the West has resulted in greater pressure to abide by international norms than in Syria, the evidence does not support H2, which requires that this closer relationship result in greater levels of rebel violence.

PKK Relation to the Syrian Government

P1's claims about the mutually beneficial relationship between the PKK and Syrian government are substantiated with significant evidence when examining the baseline period from 1984–1998. First, Syria had a very specific concern vis-à-vis Turkey for which it hopes to gain greater leverage—water rights to the Euphrates River.⁶⁷ Since Turkey's creation of the Ataturk Dam in the mid-1980s, Turkey has the ability to “turn off” Syria's vital water supply.⁶⁸ P1 would suggest that Syria would reach out to the PKK as a counter-balancing leverage piece to offset the gains in relative power that Turkey gained through the creation of the dam. Indeed, the creation of the Ataturk parallels Syria's decision to sponsor the PKK.⁶⁹ Second, the Syrian government secretly provided resources and security to the Ocalan and the PKK leadership, turning Damascus into the de facto PKK headquarters, and resulting in public threats from the Turkish government demanding that Syria cease its support for the PKK.⁷⁰ More revealing than even the private support that Ocalan and the PKK received from the Syrian government was the active role that the PKK played in silencing Syrian-Kurdish protest against the regime. As Gary Gambil finds, “PKK leader Abdullah Ocalan publicly condemned the fight for Kurdish national rights in Syria and frequently repeated the Assad regime's claim that most Syrian Kurds are not native to Syria.”⁷¹ The nationalist PKK has no incentive to restrain its own quest for independence in Syria unless restraint resulted in substantial benefits, namely, Syrian support. Furthermore, evidence suggests that while the Kurdish exiles “quickly engaged in Kurdish society in Syria . . . their prime objective remained retaliation against the Turkish government,” making cooperation with the Syrian government far more feasible.⁷² Finally, Human Rights Watch reports have found explicitly that “this [Syria's] strategy had some success in putting pressure on Syria's Kurds to keep quiet about their demands on Damascus in the 1980s and 1990s in order to ensure that Syria's support for Kurdish groups in Iraq and Turkey continued.”⁷³ Therefore, this baseline period fits in with H3: during times with close ties between the PKK and Syria, there were high levels of violence in Turkey and low levels of violence in Syria.

The Adana Agreement in 1998 and the threat of Turkish invasion pushed the Syrian government to break ties with Ocalan and the PKK.⁷⁴ Syria's decision to cease support for the PKK makes sense from the theoretical perspective

offered by Saideman, as the threat of Turkish attack changed the Syrian-PKK relationship from mutually beneficial to a Syrian liability.⁷⁵ As H3 predicts, the break of ties between the PKK and Syria compromised the PKK's ability to operate effectively. This dwindling capacity led to a vicious spiral, in which PKK insecurity led to further incapacitation when Ocalan was captured soon afterwards. This inability to carry out guerilla resistance therefore made political protest a far more attractive option, and Kurdish nationalists pursued political recompense.⁷⁶ Therefore, H3 accurately predicts that the 1998 severance of ties between the PKK and the Syrian government would lead to reduced violence in Turkey.

However, H3 also predicts that after 1998, one would observe a greater level of violence by Syrian Kurds as well. If the PKK were in fact instrumental in containing violence by Syrian Kurds, then the disappearance of the PKK would have lifted the structural restraints against an outbreak of Kurdish violence. Nonetheless, this permissive environment toward violence did not erupt into widespread dissent until 2004. First, it is likely that "the legalization of this region [granting Iraqi Kurdistan autonomy] in post-2003 Iraq has strengthened the commitment of many Kurds to what they see as their innate national rights," and provided the spark for the Kurdish riots in Syria.⁷⁷ At the same time, the Turkish Kurds began shifting back to violent tactics after being disillusioned with the lack of political progress in the Turkish system.⁷⁸ Furthermore, a resumption of Turkish "annihilation operations" against PKK fighters led many in the PKK to feel that their 1999 ceasefire agreement no longer held any weight.⁷⁹ Therefore, the combined developments of Kurdish autonomy in Iraq and the return to violent tactics in Turkey led to a rise in Kurdish nationalism throughout the region.⁸⁰ Because the PKK no longer had close ties to the Syrian government, the Kurdish nationalists had no incentive to quell the nationalist stirrings in Syria—resulting in the outbreak violence seen in 2004. In short, the 2004 outbreak of Kurdish violence in Syria supports H3's claims that the strength of PKK-Syrian relations is negatively correlated to the level of violence in Syria.

Furthermore, analysis of the evidence from 2010–2012 provides even stronger support for H3 (PKK relations to Syria). From 2004 onwards, there were some levels of PKK violence in Turkey, but those levels did not begin to increase until the end of the decade. H3 contends that this rising violence results from closer ties between the PKK and Syria. If this hypothesis is correct, then in 2010–2012, one should find that 1) renewed ties with the PKK allow for greater violence in Turkey and 2) the PKK actively contained Kurdish protest, even within the context of the greater rebellion. The evidence strongly supports H3 on both points. In the build-up to the 2011 rebellion, Assad had already secretly begun to let the PKK return to Syria. However, as "Turkish-Syrian relations deteriorated because of Damascus' brutal military crackdown on protesters, the Assad regime gave a green light to the PKK to resettle in northern Syria," a clear sign of a rearrangement of alliances.⁸¹ Moreover, as a sign of good faith, Syria made "the unprecedented move of

granting citizenship to 200,000 Syrian Kurds on April 6th in the early days of the uprising.”⁸² The Syrian government has also treated the Kurdish minority differently by refraining from using force against them, which further suggests Syria’s confidence that Kurdish quiet will be self-enforced.⁸³ Finally, the PKK’s Syrian proxy, the *Partiya Yekîtiya Demokrat*⁸⁴ PYD, has been “putting down demonstrations in Kurdish areas and assassinating anti-Assad activists, most notably Mashaal Tammo, a charismatic Kurdish leader who was killed last year as he was seeking to form a broad-based anti-Assad political coalition.”⁸⁵ In the words of one Kurdish refugee, “Everything here happens through the PKK, and that’s why people don’t organize themselves [to provide more support to the Syrian Kurds].”⁸⁶ Finally, a recent document leaked to Al-Jazeera by a Syrian defector entailing the Syrian government’s response to the rebellion included,

“12. To place Kurdish areas under surveillance; and to coordinate with the Kurdistan Labour Party in secret to quell protests and protesters; and not to intervene by security forces in the Kurdish areas; and to arrest those planning to vandalize or carry arms.”⁸⁷

This primary source fits perfectly with the other evidence gathered in support of H₃ and serves as a confirmation of an already powerful hypothesis. In short, clear and abundant evidence points to the active Syrian-PKK cooperation as predicted in H₃. Therefore, H₃ provides a strong and robust explanation accounting for the different levels of violence in Syria and Turkey throughout time.

Geographic Concentration

The evidence demonstrates that while geographic concentration may have been a permissive factor, it does not account for the fluctuations in violence in each country over time. The Kurds in Turkey remain highly concentrated in the Southeast, and nearly all PKK violence was perpetrated in that region, as predicted by H₄.⁸⁸ Moreover, “the nearly 60% of Kurds who live outside Turkey’s southeast region are very much integrated into the socioeconomic structure of Turkey and are not, by and large, strong supporters of the PKK, further strengthening the correlation between geographic concentration and outbreak of violence.”⁸⁹ While Turkey did make some efforts at resettlement in the 1990s, these attempts to diffuse the Kurdish geographic concentration were largely unsuccessful.⁹⁰ In contrast, Syria’s roughly 2 million Kurds inhabit several non-contiguous regions, which made organized violence less likely, as H₄ expected.⁹¹ Additionally, Syria successfully resettled a portion of their Kurdish population, further increasing geographic diversity.⁹² This geographic dispersion in Syria also provides an explanation for why the 2004 riots fizzled without taking root. However, while H₄ successfully posits a factor for the discrepancy in violence between countries, its explanatory power is limited by its inability to account for the variation of levels of violence seen within Turkey and Syria.

Conclusion

In this study, I examine four hypotheses in an attempt to explain the causal factors behind why, under similar circumstances, there has traditionally been an outbreak of violent rebellion in Turkey but not in Syria. A thorough examination of the historical record of both countries produced the following results:

- 1). H₁ (Regime Type) lacks sufficient evidence to conclusively assess H₁'s accuracy. However, employing data from an expected Syrian regime change in a future study may lead to a more decisive conclusion.
- 2). H₂ (Relations to the West) did establish that stronger relations to the West resulted in a moderation of counter-insurgency tactics, but failed to provide a significant connection between the more restrained government strategy in Turkey and the outbreak of violence there.
- 3). H₃ (PKK relations to the Syrian government) provided the most robust explanation for the different levels of violence in Turkey and Syria. Moreover, H₃ had the added ability of successfully accounting for fluctuations in levels of violence within the countries as well.
- 4). H₄ (Geographic Concentration) successfully explains the variation in outbreak of violence between the two countries, but could not account for the variation in violent outbreak over time.

Therefore, this essay finds that an examination of the PKK's relationship to the Syrian government is the best indicator of violence in Syria and Turkey. However, it is worth noting that all four hypotheses share the underlying assumption that rebel capacity for violence was a crucial aspect in the outbreak of violence. In fact, to some degree, all four hypotheses postulate different factors that may influence both state and rebel capacity. However, these factors are not all-inclusive. Other factors that may affect the outbreak of Kurdish violence include the influence of the Kurdish Diaspora, the fear of brutal government retaliation, and the role of intergroup competition between rebel factions. Finally, future research of this issue would benefit from a study of the history of Kurdish violence in Iraq and the impact of the development of an autonomous Kurdistan.

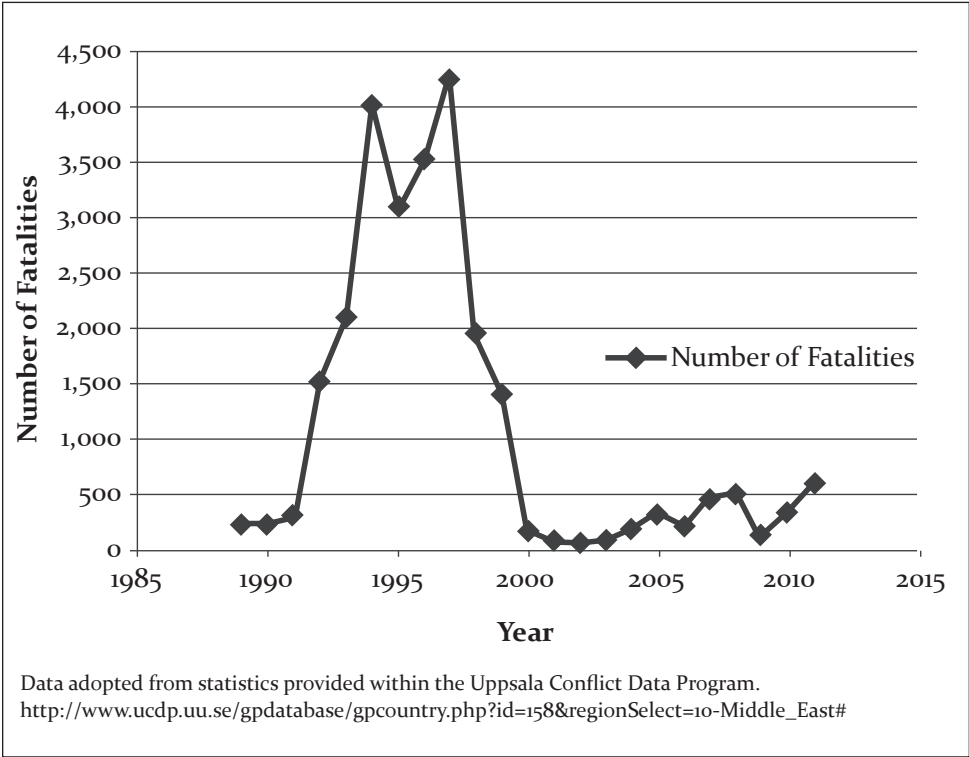
Readers should also note two potential limitations of the data findings. First, the fact that many of the forefront authors writing on Kurdish nationalism in Turkey and Syria are Turkish intellectuals comes as a double-edged sword. On one hand, these academics often have a more intimate understanding of the motivations and specifics of Kurdish relations than do Western academics writing from halfway across the world. On the other hand, however, there are fears of potential biases, as Turkish hardliners are often inclined to argue that "there is no Kurdish problem, but a problem of terror, aggravated by the economic and social problems of southeastern Turkey the support given to the PKK by the international community."⁹³ Recognizing this potential bias, this paper carefully corroborated information extracted from Turkish academics with outside sources to ensure the most nuanced understanding of

the conflict as possible. Nonetheless, the possibility of accidental bias should be noted and imposes one potential limitation on these findings. Secondly, the decision to include the ongoing Syrian revolution also carries positive and negative externalities. On the positive side, the incorporation of the most recent rebellion allows for a far more up to date analysis, and also significantly expands the data set when looking at potential Kurdish unrest in Syria. The downside, though, is that it is often difficult to get a completely accurate understanding of an ongoing conflict, and true perspective often only comes later, “after the dust clears.” To address this concern, I did not rely upon any information regarding the current Syrian uprising unless I could confirm it in multiple places.

Finally, this paper has specific policy ramifications for those looking to control the outbreak of Kurdish violence in Turkey. If Turkey or another country wants to undercut PKK violence, they should sever the ties between the PKK and the Syrian government. However, any country considering undertaking such an endeavor should also be cognizant that such a severance would also lead the Syrian Kurds to join the current rebellion in much greater numbers. Alternatively, Turkey could attempt to undermine PKK capacity by dispersing Kurdish populations through resettlement programs, although such a policy would be difficult for the Turkish government to carry out on moral grounds. At present, signs indicate that Turkey has taken a different approach: accommodation. For the first time, Turkey has relaxed some of the restrictions on Kurdish cultural life, which may undercut Kurdish support for the PKK. On a more general scale, this paper’s findings highlight the importance of rebel capacity in explaining violence. Moreover, it prescribes the use of future counterinsurgency strategies that aim to identify rebel sources conferring such an ability to organize and perpetrate violence and take actions to limit those sources.

APPENDIX 1

Figure 1. Number of Fatalities from Kurdish Conflict in Turkey



APPENDIX 2**Table 1.** Levels of Kurdish Violence

Levels of Violent Conflict	Period	Turkey	Syria
	1984–1998	High levels of violence	No violence
	1998–2003	No violence	No violence
	2004–2009	Low levels of violence	Short outbreaks of violence
	2010–2012	Increasing levels of violence	No violence

Notes

1. In Turkey, Kurds face Turkification, and in Syria, Arabization.
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Photographic Exploration

Reframing the State

Carolyn Kwon and David Smythe, *Photo Editors*

The past century saw a transformation from a few imperial powers to hundreds of individual nations of varying sizes and structures. It was a hundred years of clashing identities and ideologies, and saw the creation of international institutions to give these conflicts a peaceful means of resolution. While many governments around the world are forced to hold themselves increasingly accountable to their electorates, they must also answer to these international institutions and other outside forces beyond their power. How then will our notions of sovereignty and legitimacy evolve in the years to come? Where can we see this transformation taking place today?

The photographs in this year's volume of *Hemispheres* reflect the diverse manifestations of these pertinent questions. Some document the changing relations between citizens and states, and others portray the efforts of states to justify their very existence. All capture the plight of the nation-state in its attempt to redefine itself in a more democratized and globalized world. We hope you will enjoy these images as a series of lenses through which to examine this multifaceted issue, and as impressive works of art by the talented undergraduate photographers who created them.

Lupita Dominguez, Tufts University



Students march along the Alameda in Santiago under a giant Chilean flag that states “free, quality public education” at a city wide protest on June 28th 2012. The day before the protest, the Student Federation of the University of Chile staged a direct action by dropping this flag from the 5th floor of the Costanera Center. The flag draped 4 stories below.



Creative forms of resistance and expression are very present in Latin American protests. The movement and dance that prosper from the rhythms at protests are a means of resisting through celebration.

Lupita Dominguez, Tufts University



Students hoisted posters and banners with messages in support of education reform on every side of “La Casa Central,” the main administrative building of the University of Chile, which students took over for seven months in 2011. During the student take-over, La Casa Central became a student controlled space in which fundraisers and meetings for the student movement were held.



On August 4th, 2011, protesting the government’s decision to not allow a student march from occurring that day, the Student Federation of the University of Chile called for Chilean citizens to take to the streets.

Lupita Dominguez, Tufts University



People of all ages march in solidarity with students. The majority of Chileans feel that an educational reform would dismantle lucrative universities and schools and create a more equitable and affordable education system.

Nicole A. Softness, Wesleyan University



This photo was taken in Kosovo, a state that challenges the very notion of sovereignty and state legitimacy. American post-conflict intervention has shaped massive facets of the new Kosovar government and other authorities.

Maura McQuade, Tufts University



An image from the Wagah Border Ceremony and the Lowering of the Flags, Border of Pakistan and India. This first photo shows observers on the Indian side of the border.



Another image of the Wagah Border Ceremony depicting a brief moment where the gates to Pakistan are open, and the Security Forces of both sides ceremoniously cross the threshold.

Maura McQuade, Tufts University

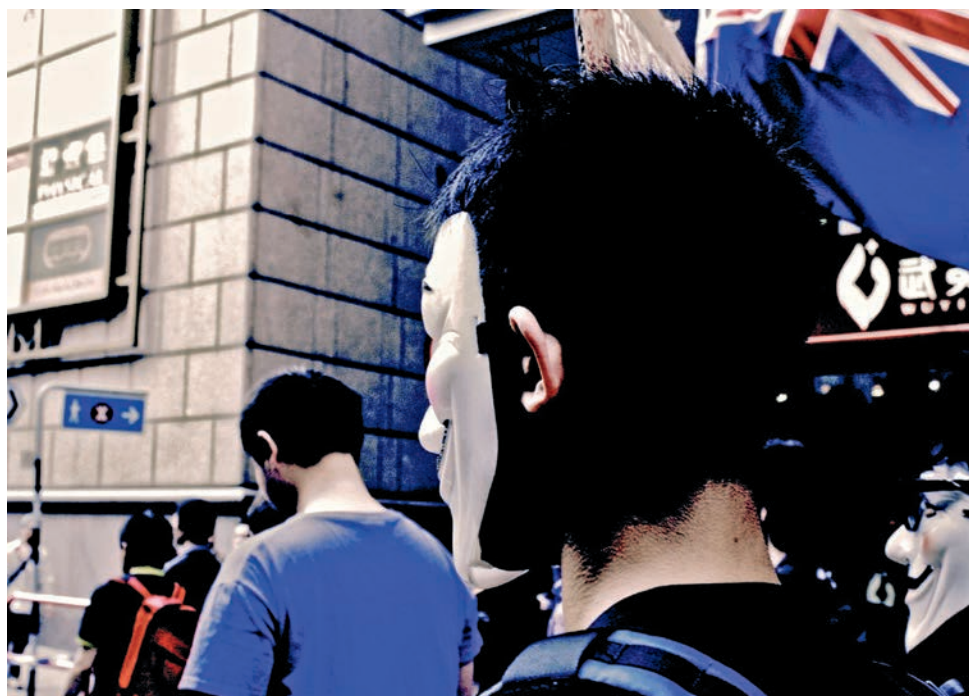


A group of young Tibetan Buddhist monks sit in prayer next to a set of prayer wheels in the Tsuglagkhang Temple.

Tim Yu, University of Alberta



The local police in Hong Kong gather to try and control increasing crowds protesting against Beijing's political influence. Organizers estimated 15,000 protestors were at the event, while Hong Kong police had estimated only 5,300 people.



A protestor, sporting a white mask, can be seen holding a British colonial flag in Central Hong Kong.

Tim Yu, University of Alberta



In a scandal-ridden election campaign, Leung Chun-Ying was “elected” Hong Kong’s Chief Executive over rival Henry Tang. This caricature of Leung mocks his political legitimacy, and hits out at Hong Kong’s inability to elect its own democratic leader.

Interviews

Lessons from the Cold War: *A Critical Examination of the Central Intelligence Agency, the Military, and the U.S. Foreign Policy with Melvin Goodman*

Interview by Neena Kapur

Melvin Goodman is a former division chief and senior analyst at the Office of Soviet Affairs in the Central Intelligence Agency (1976–1986), and a former senior analyst at the Bureau of Intelligence and Research in the State Department (1974–1976). He also was a professor at the National War College for eighteen years. Since then, he has published many books that look at the intelligence community through a critical lens, and is well known for his commentary critiquing U.S. military spending, policy, and culture. His most recent book, *National Insecurity: The Cost of American Militarism*, examines the consequences of the U.S.'s enormous military budget.

1. *First, could you please describe your role as a CIA Analyst?*

For the most part, analysts who join the CIA have a regional or country specialty. My regional specialty was the Soviet Union, and my entire career in the CIA was spent on Soviet foreign policy. The CIA collects a variety of sources, which CIA analysts use to carry out their work. These sources range from all sorts of intelligence, reports from various countries around the world, state department reporting written by foreign officers, satellite photography, open sources from international journals/newspapers, academic papers collected by foreign broadcast information service, and intercepted security information from the NSA. Depending on what regional area you work in, an analyst would either write foreign intelligence reports—similar to what someone would do as a newspaper journalist or for a research projects—or look at a specific problem and try to project what kind of outcomes and specific situations would play out.

2. *A common theme in your published works, such as The CIA and the Perils of Politicization, seems to be information asymmetry and the “distorting of information for political means.” Would you characterize this as a largely recent phenomenon and can you share with us your insight into why this may be so?*

This phenomenon is not recent; we've always had a certain amount of politicization and there have always efforts to politicize. Whenever the United States

has gone to war—the Mexican War, the Spanish-American War, the Vietnam War etc.—the government has always politicized intelligence to make the situation look favorable. However, the CIA has, in the past, had a legacy of standing up to this politicization and holding its ground. The Vietnam War is a perfect example of a time when the CIA made it clear that the U.S. would not be successful and did not support the deployment of troops regardless. Another example is during the Strategic Arms Limitation Talks (SALT) the CIA stood up to the Pentagon to argue the case as to why we should secure a strategic arms agreement.

We've never had institutionalized politicization, however, until William Casey became the director of the CIA in 1981. Casey would approach Reagan with twisted information to suit the government's policy interests, and he created a legacy that has unfortunately stayed with the CIA. For example, when the administration wanted to go to war with Iraq, intelligence essentially formulated a national security estimate of the weapons that Iraq had, when Iraq really did not have any. The culmination of this politicization was the Iraq war, but there have been many cases before. Over the past twenty years the CIA has decreased in stature. This decline partially has to do with politicization, but it also has to do with the lack of good strategic intelligence to conduct good foreign policy. That is the primary problem. Intelligence should play a supporting role in the conceptualization and implementation of the foreign policy. Strategic intelligence is a very important component, and this is what we have been missing for the past few decades.

3. *What is your opinion on John Brennan as the future CIA director?*

Frankly, I thought that Obama could do worse than Brennan, but that's not to say I'm favor of him as a CIA director. In many ways, he's too close to the president, especially given his background as someone who has been a cheerleader to the policy for whoever his boss has been. When he was an assistant to George Tenet, the Director of the CIA from 1997–2004, he backed policies he didn't even support. Whenever he's gone in front of the press after major national events, it is clear that he is doing everything possible to make the president of the U.S. look good. I personally believe that he's not tough or independent enough to be the Director.

4. *To what extent, if any, does the U.S. outsource its intelligence gathering activities to other nations? Can this info be trusted?*

The U.S. has liaison with foreign intelligence services, but I think it goes too far to suggest that we outsource our intelligence. For the most part the CIA is extremely careful to rely on foreign sources, especially in the intelligence field. The outsourcing I see is the greater reliance on private firms on analyzing and collecting intelligence and getting involved in matters, and I believe the intelligence community has been clearly weakened by this reliance. For example, the Blackwater security company, currently known as Academi, has been involved in too many situations regarding military power and security power.

5. *In your publication The Failure of Intelligence: the Decline and Fall of the CIA, you discuss instances where the intelligence broke down. To what extent are these failures preventable? Are they fixable errors or are there limits to what the CIA and intelligence community is able to find out?*

A combination of things leads to intelligence failures. The intelligence failures that happen most often are ones that construe what happens, which is caused by the issue of politicization. This can easily be fixed.

But we shouldn't expect the CIA to be accurate on certain situations where it would be impossible to collect all the information needed to make good judgments in terms of anticipating what will happen in certain countries. It can be difficult to predict certain kinds of social upheavals. Though, at the same time, there are examples where the CIA could have predicted international events. With the Arab spring, for example, the CIA did a terrible job on a domestic level of picking up on hints and clues—there were clear signs in the Arab world of unrest and upheaval. We needed a better understanding of the cultural scene of different countries.

6. *With the recent explosion of international cyber attacks (both state-sponsored and non-state-sponsored) in the past year, what are your thoughts on how U.S. foreign policy will address this new threat? Do you think the U.S. should take on a defensive or offensive approach?*

I clearly think it's a potential threat. There are five or six countries that are particularly active in this field: the U.S., France, Russia, China, and Israel. Because the U.S. is probably more vulnerable to cyber threat, we should be more concerned with sophisticated cyber security and we should think twice before we use cyber weapons in an offensive way. The U.S. needs to rely on international organizations to draw up ground rules on how to deal with this problem. In light of the most provocative cases, there needs to be some international agreement on how this new technology and field can be administered on an international level. What we've seen in the past 15 years is a weakness in U.S. collaboration with international organizations. We need to realize what international organizations can do in the cyber field. We can take some chances in this field because we have our military to fall back on, but we do have a lot to lose.

7. *As China continues its economic and political ascent, will the U.S.'s intelligence strategy resemble the strategy it used to confront the Soviet Union? How will it be different, how should it be different, and why?*

The policy toward China is more than just an intelligence policy; it's a political policy. Obama's approach toward China is different than it was toward the Soviet Union in the sense that we are not focusing on containing China. Clearly the U.S. has identified China as a major threat (though I think it is exaggerated). When I left the National War College, China was considered a major threat. But, we need to be careful of self-fulfilling prophecies—if we act as if China is a threat, they may act as a threat. I'm not saying we should

diminish intelligence collection against China, but I think the political policy and the diplomatic strategy has gone much too far. If we move 60% of our military power from Europe and the Middle East to Asia, we put China on alert because we have strategic advantage. The military acquired a real competitive edge in creating policy actions against China, and China is probably wondering *why* are we continuing to build on it.

8. *What do you think the reasons behind pushing the anti-ballistic defense agenda in Eastern Europe were and do you think that it has had any permanent effects on our relationship with Russia?*

I think a lot of what the U.S. does in terms of military power is done simply because we can do it—the technology is there, the politics are favorable, so we can go ahead and deploy a certain system without thinking of certain consequences. This is certainly true for missile defense; we thought we could do it, but we did not think about the consequences. Now, we have Obama inserting a retail defense into Eastern Europe to protect them from missiles of Iran? This is a ludicrous—Iran will not attack Eastern Europe. This policy has been followed after the fall of the Soviet Union and is implemented only to control and contain Russia.

What we don't realize is that Russia takes this very seriously. From Russia's viewpoint, it seems as if we are trying to take advantage of their weaknesses. This is key to how Russia sees our foreign policy, how we've militarized NATO against them, and how we've expanded our security all the way to their borders. Russia is very sensitive about its borders, and we've totally underestimated the implications of this decision and exaggerated the positive benefit we can reap.

9. *What is your opinion on the use of torture to gain intelligence, and on the moral dilemma that inevitably arises as a result?*

There is no moral dilemma—torture and abuse is illegal, and for those who worry about practical consequences, it doesn't work very well. This country should not be conducting torture. There is a constitutional amendment on torture and abuse and we should not ever ignore it, no matter the circumstances. On a practical level we should be concerned with protecting our own people across the seas—journalists, CIA agents, the military—because if they fall in the hands of others across the seas, they will be subject to torture and abuse if they know about the torture we use in our programs. That's why the FBI walked away from torture and abuse.

It's not a security issue or a practical issue—torture is wrong and it is illegal, and the courts have been wrong to not deal with these issues. We need to be more direct in dealing with torture and abuse, and I wish that Obama had been more direct with those who inflicted torture and abuse when he made the decision to close Guantanamo Bay.

10. *What are your thoughts on the use of drones in warfare? How has it changed how war is conducted?*

Drones are complicated. Our new reliance on drones is a serious problem that needs to be addressed. Drones have made war too easy; they have made violence too easy. It's too easy for someone to pull the trigger to kill someone, and then go home and have dinner with his family. It should not be that easy to kill and to expand warfare. We told Israel that they should not do targeted killings, yet it is us who are doing targeted killings in Pakistan.

Then you get to the areas of American citizens who've been killed. To me the problem with drones is a lot like the problem of cybersecurity: technology has advanced to a point where we have no legal architecture or political framework to deal with it, and it will be used ultimately against us. Now, we have been told that Hezbollah has drone technology and that they have overflowed Israel. It's clear that we need international governance on how to use drone technology, and we need it now.

11. *In the recent article from the New Yorker—"How much military is enough?"—you were quoted as "one of the growing number of critics of U.S. military spending, and culture who are veterans of earlier wars." Could you please expand on your opinions of the current state of U.S. military spending and why you believe the defense budget should be cut?*

The argument I've been making for a long time is that the U.S. government devotes far too many resources to the military and the Pentagon. There was a strategic opportunity when the Berlin Wall came down and the Soviet Union collapsed to decrease the size of the Pentagon budget. There were some cuts under Clinton, but after Clinton, defense spending increased under Bush. Most of the military spending has been without any real plan—what we need, what weapons we need to develop, etc.—instead of looking at new problems across the world, such as insurgency. We continue to build the same Cold War type of strategy of military superiority, when we already have clear superiority, especially in our Navy and Air Force). It's time to assess how we use the military, and why we use it. Current international problems are related to terrorism and counterinsurgency, and we have not sufficiently devoted real efforts to addressing them.

When I taught at the National War College in the 60s, we had a wonderful program for the military in dealing with and understanding insurgency, and dealing with international terrorist groups. However, an admiral abolished this program because it was deemed irrelevant. The real problem to all of this is that the military is essentially an anti-intellectual institution. It is no longer a thinking institution. Instead, it's now a very tactically and operations oriented program and is not oriented toward strategy and substance. We need to reform what the military does, make serious cuts to their expenditures, and provide genuine civilian leadership to this institution.

12. *To follow up, what do you think caused this change in the military as an institution?*

The idea that we won the Cold War because of military power and because of NATO's military power changed the way we viewed the military. We spent too little time looking at the inherent flaws and weaknesses in the Soviet Union, and gave our military power and ourselves too much credit. So much of the credit goes to George H. W. Bush, when in reality we didn't cause the internal breakdown of the Soviet Union—that can be attributed to economic and domestic failures. In the U.S., regional military officers became very powerful, while the State Department declined in power. The tremendous respect for the military has continued to grow and grow.

Political culture is very hard to wrap your arms around and very hard to understand. Once you change your culture, it's hard to go back. Under the directorship of Robert Gates, and later William Casey, the CIA intelligence underwent politicization and became very weak. Now, it works very heavily with the military, and intelligence focused almost entirely on military operations. The weakened culture of CIA, the intelligence community, and State Department, has provided the Pentagon with the opportunity to pick up these pieces and strengthen the military.

13. *What do you see as the next direction for U.S. foreign policy with both the withdrawal from the Iraq war and the drawdown of forces in Afghanistan by 2014?*

Well, the immediate challenge for the U.S. is to find a way to pursue its foreign policy and its national security policy without relying on military force. What we've seen over the past decade is the steady militarization of foreign policy. With the weakened economic situation, it is important for the U.S. to find allies and stakeholders to work with. Currently in Mali, France is dominating the struggle, and in Libya, Britain and France are playing large roles. Syria is where we see a real problem, as the U.S. has chosen to not have a leadership role. It is time for diplomacy to become much more active. Under the new Secretary of State John Kerry, who has spent so much time understanding problems of diplomacy, I hope that the State Department will return to its old role of stature. The obstacle to overcome now, especially in light of the withdrawal of troops from Afghanistan, is to demilitarize national security.

Modern India:

A Conversation with Ambassador Rao

Interview by Neena Kapur

Nirupama Rao is the current ambassador of India to the United States. In a diplomatic career spanning over three decades, she served in various world capitals, including Washington, D.C., Beijing, and Moscow. She acquired extensive experience in India-China relations, having served in the East Asia Division of the Ministry at policy level capacities for several years, and later serving as India's first woman Ambassador to China from 2006 to 2009. Her other ambassadorial assignments include Peru and Bolivia, and Sri Lanka (where she was also India's first woman High Commissioner). On completion of her ambassadorial tenures in Sri Lanka and in China, she was appointed Foreign Secretary, the highest office in the Indian Foreign Service, where she served a two-year term until the end-July 2011.

1. *Just recently, newly installed Secretary of State John Kerry announced his positive intentions to maintain a strong U.S.-India strategic relationship. How do you see this relationship progressing over the next few years?*

The leadership that both Prime Minister Dr. Manmohan Singh and President Obama have imparted over the last four years has moved the India-U.S. strategic partnership from a "consolidation" phase into one of comprehensive and multifaceted engagement. The depth and expanse of our mutually rewarding partnership, and the stakes both countries have built in each other's success are unprecedented today. Our trade and economic partnership and collaboration in innovation are new sources of strength to our engagement. Our deepening cooperation in the spheres of education, energy (including civil nuclear energy), health, agriculture, science and technology now touches the lives of millions in both our countries. Strong people-to-people connections are constantly enriching this engagement. In the completion of our task of nation building, we see the United States as an important partner. Our strategic partnership today is rich in content, comfort and candor. It also has an ever-increasing global relevance, making a difference beyond our shores, from Afghanistan to Africa. We have shared approaches to some of the most complex regional and global challenges of our times. Our defense partnership, including defense trade, has been strengthened, just as our cooperation in counter-terrorism and other strategic pursuits, including maritime and cyber security. The strong and vibrant Indian-American community continues to play a stellar role in promoting better understanding and friendship between

two of the world's leading democracies. Both our countries have a rich and textured agenda ahead of us from developmental spheres to defense and security cooperation, and regional and global issues of mutual interest. The shared vision of Prime Minister Singh and President Obama will continue to guide our close relationship to an even deeper and more rewarding engagement, which derives strong support from across the political spectrum in both our countries and is anchored in strong people to people connections.

2. *In his remarks at the U.S.-India Business Council event which took place last April, Principal Deputy Assistant Secretary Geoffery Pyatt emphasized the U.S.-India technology-centered partnership. Could you please discuss India and the U.S.'s joint civil nuclear deal? How has it laid the foundation for the partnership the U.S. and India share today (joint counter-terrorism cooperation, non-proliferation efforts, etc.)?*

In the overall framework of India-U.S. trade and economic cooperation, technology centered cooperation is one of the most crucial and promising domains across a range of areas including health, energy, engineering and manufacturing, high-end information technology. India sees the U.S. as an important partner for strengthening technology based business partnerships. On the other hand, India's commitment to make itself a global hub for innovation and knowledge industries, its matrix of skilled human resources and its economic need for affordable and socially relevant products, allows U.S. businesses tremendous commercial opportunity in the form of a large market; a strong ecosystem to set up their global research and development facilities; ability to incubate and commercialize new products and technologies; and optimization of their global supply chains.

The India-U.S. Civil Nuclear Initiative that has become a symbol of our transformed relationship grew out of our conviction that nuclear energy could help us meet our energy requirements in an environmentally sustainable manner. The business entities from our two countries have been in discussion for harnessing commercial opportunities in the crucial area of nuclear energy. The U.S. has extended its support to India's membership in multilateral export control regimes. Areas such as civil nuclear energy, high-technology trade and nuclear security are promising areas for deepening bilateral cooperation for mutual benefit.

3. *In light of the U.S. preparation to withdraw all its troops from Afghanistan by 2014, we understand that India pledged to help stabilize Afghanistan. What steps has India been taking to achieve this goal? What has been the resulting response from both Afghanistan and Pakistan toward India's pledge and actions?*

Considering our historical relationship with Afghanistan and people to people relations, India had pledged and is providing \$2 billion for various developmental activities that have a direct impact on the lives of the Afghan citizens. Our assistance programs have been guided by the priorities of the Afghan

government and people. India has laid particular emphasis on capacity building and skill enhancement in areas such as support to education and development of school infrastructure, health and nutrition programs, self-help groups and cooperative societies to assist and empower women. Additionally, we are supplementing our efforts with joint projects with the U.S. in areas such as in capacity building, agriculture, and women's empowerment in Afghanistan. India has also undertaken infrastructure projects to aid economic development such as construction of roads, power projects and laying power transmission lines. During the visit of President Karzai to India in October 2012, Afghanistan entered a Strategic Partnership Agreement with India. Under this Agreement, our two countries will have a political and strategic dialogue to provide a framework for cooperation in the area of security. India has agreed to assist in training, equipping and capacity building programs for the Afghan National Security Forces, and to support Afghanistan in its fight against international terrorism, organized crime, illegal trafficking in narcotics, money laundering and related areas. Both India and Afghanistan are working closely in realizing these goals.

4. *During your tenure as Foreign Secretary, you were the first senior Indian bureaucrat to open a twitter account. In this age of social media, how exactly do you use Twitter as a media platform to mobilize people, and from your experience, what are your thoughts on its effects?*

We live in an age of what is termed “citizen diplomacy.” The culture of effective communication is critical for the success of our diplomatic efforts. Technology becomes a facilitator and enabler in such a context. Communication platforms like Twitter need to be accessed so that we can effectively communicate on issues of public interest and concern in a prompt and responsive manner. The people are thirsty for authentic information from governments amidst a welter of conflicting reports and subjective comments that crowd the public space. Clear, factual responses can greatly help restore balance and erase bias. Credible voices coming out of government are vitally necessary.

5. *While India has seen increasing representation of women policy makers at both the national and panchayat village council level, the Lok Sabha has continually rejected the Women's Reservation Bill, which calls for the reservation of 33 percent of seats for women parliamentarians. Could you speak a little bit on what you think is preventing this policy recommendation from being ratified at the parliamentary level? As an experienced and well-accredited female diplomat, where you believe women stand in India as far as equal representation is concerned?*

The Women's Reservation Bill or the Constitution (One Hundred and Eighth Amendment) Bill 2010, was passed by the Upper House of Parliament by a two-third majority on 9 March, 2010, and was laid before the Lower House on 12 March, 2010. The Bill seeks to ensure that one-third of the total available seats would be reserved for women in national, state and local governments.

Women, as the popular saying goes, “hold up half the sky.” In India, women have played an active role in politics and public service. We have had a woman President, Prime Minister, Speaker of the Indian Parliament besides very eminent women political leaders and public servants. Today, Indian women are excelling in every field, be it in government, business, science or academia, including those areas traditionally considered male bastions. Women representatives constitute about 11 per cent of the Indian Parliament. There are more than 1.2 million elected women representatives in local bodies across the country. While we have made progress in enhancing participation of women in different walks of public life, much more could be done. I remain hopeful that a consensus to pass the Women’s Reservation Bill will not elude us for long.

6. *In light of recent current events surrounding the gang-rape in Dehli what changes do you foresee in legislative policy in the near future?*

After the tragic incident of December 16 last year, Prime Minister Dr. Manmohan Singh quickly appointed a committee of inquiry comprised of eminent jurists and headed by the former Chief Justice of India J.S. Verma to conduct a wide-ranging examination of the facts. The committee’s report came out a few weeks ago and is a concrete step in the direction of safeguarding women’s safety. It recommended an overhaul of the legal system dealing with sexual assault, including implementing speedier trials and more severe punishment for rape. In a letter thanking Justice Verma for the efforts made by the committee, Prime Minister Singh assured that the government will be prompt in pursuing its recommendations. On February 4, 2013, Government of India released an ordinance which significantly tightens the existing laws. The ordinance will be placed before the Indian Parliament for final legislation.

7. *As the largest democracy in the world, and the second most populous country in the world, how does India view itself as a regional leader and a rising world power?*

Since attaining independence, it is the Indian model of democratic governance, its acceptance of pluralism, its emphasis on inclusive, sustainable growth, together with its economic strength, resilience and dynamism of its people that propels the promise and the potential of India’s role on the global stage. Our sustained economic growth, particularly in the last two decades, has led to a dramatic transformation in India, lifting millions of people out of poverty. For the foreseeable future, our foremost national task is to ensure sustained economic growth so that we can provide opportunities to all our citizens to realize their full potential. But even as we pursue our national and developmental interests, we are also intensifying our engagement with world whether in the field of economy and trade, fighting terrorism, peace-keeping, non-proliferation, climate change, energy security or other trans-national issues that confront the contemporary world. This engagement, based on the principles of mutual respect, mutual benefit, sustainable development and cooperative engagement, is bound to grow as India actively pursues its

interests in the world. In the regional context, India can, and is willing to partner with other countries and play the role of an anchor for long term peace, prosperity and stability. As the economic center of gravity has shifted toward the Indo-Pacific region, there has also been a concomitant shift in geo-politics toward that part of the world. And uniquely, India's emergence is not regarded as a threat, but, rather, welcomed by the vast majority of nations. Today, as India's economic growth provides it more weight and adds to her influence in the international arena, we remain conscious that with this comes ever-increasing responsibility. As a responsible member of the comity of nations, India is willing and able to play a role commensurate with its size and destiny, whether in the UN Security Council or other multinational institutions.

8. *India has taken immense strides in reducing government corruption over the past decade. Could you please expand upon some of the programs that have been implemented, and India's future plans to continue combating corruption?*

Our Government has implemented a series of initiatives to accomplish the objective of containing corruption and promoting transparency in governance. The Right to Information Act of 2005 has heralded a new era of openness and transparency in governance. The RTI Act, which has been in operation now for almost seven years, has left its impact across the length and breadth of the country. The Lokpal and Lokayuktas Bill 2011 was introduced in Parliament last year with a view to creating a strong institutional mechanism to combat corruption. Pursuant to the debates on the bill in the Parliament, a revised bill has now been approved for re-introduction in the coming Budget session. Similarly, in a far-reaching effort to reform the delivery of justice, the Judicial Standards and Accountability Bill 2010 has been approved for introduction in the Parliament. The Public Interest Disclosure and Protection of Persons making the Disclosure Bill 2010, which seeks to protect those inside Government who raise the issue of corruption and malfeasance, is already before Parliament. The Citizens' Right to Grievance Redress Bill 2011 has been introduced in the Parliament, which mandates publication of Citizens' Charters by all public authorities. Government has laid equal stress on using technology to deliver citizen services, in an electronic mode, so as to enhance the standards of efficiency, transparency and accountability. A large number of projects are also being implemented in a mission mode, under the national e-governance plan (NeGP).

9. *What sort of affect has China's rise as a global power had on India's political, economic and military policies and programs?*

China is our largest neighbor and China's rise is a reality today that we all face. Over the last two decades we have sought to deepen our dialogue and strengthen our bilateral relations with China. Today, China is our largest trading partner in goods. Peace and tranquility have prevailed in the India-China border areas. At the same time we do remain alert to the fact that China's

growing ability to project its military strength, its rapid military modernization, and its visible and growing reach introduces a new calculus in the security situation in our region. The challenge for us, therefore, is to manage the India-China relationship despite inherent complexities and challenges, embedding it in the matrix of dialogue and diplomacy.

10. *India's economic growth over the past decade has been exponential, and it is now one of the world's top ten largest economies. What has India done to maintain such rapid growth? What future steps will it take to ensure economic growth?*

The Eleventh Plan (2007–2012) had targeted an average annual growth of 9 per cent. The Plan began well, with 9.3 per cent growth in 2007–2008, but India was not insulated from the global financial crisis of 2008 and the downturn in the global economy in 2011 due to sovereign debt crisis in Europe. These and some supply side constraints, particularly in infrastructure sector, affected the pace of economic growth to 6.5 percent in 2011–2012. Despite these challenges, Indian economy registered an average growth over the 11th Plan period of about 7.9 per cent, and remains one of the fastest growing economies in the world. While recording impressive growth rate is a matter of satisfaction, the recent deceleration in Indian economy is also a cause of concern. But given the strong fundamentals of the Indian economy and reform measures initiated by the government, Indian economy can return to 8–9 per cent growth trajectory. Much would depend on the state of the global economy as well. In order to sustain high growth rates, India's Twelfth Plan document identifies the following as key initiatives to be pursued over the five year period, 2012–2017: reviving investor sentiments, improving the efficiency of public expenditure, long term increase in investment and savings rates, fiscal correction through introduction of the Goods and Services Tax and reduction of subsidies as a percentage of GDP including through better targeting, aiming for a current account deficit of 2.5 per cent of GDP and financing it through long term capital flows, especially FDI, economic reforms and efficiency of resource transparency in allocation of natural resources, spurring agricultural growth, revival of manufacturing, creating energy policies for long-term growth, and managing the process of urbanization.

11. *India just completed its two-year term as a non-permanent member of the United Nations Security Council at the end of December, and served as President of the Security Council during the month of November. During this time, India asserted that the Security Council should expand its size, as well as increase transparency. What are your thoughts on how the Security Council should be organized? Additionally, what are your thoughts on India's role in the Security Council?*

We need to ensure that the architecture of global governance and the decision-making structures designed at the end of Second World War, respond to the realities of the 21st Century. The most important step toward remedying

this situation would be the reform of the UN Security Council, which must be expanded in both its permanent and non-permanent categories, and include in its fold countries that are capable and willing to bear additional burdens relating to the maintenance of international peace and security. As a responsible member of the comity of nations, India is willing and able to play a role commensurate with its size and destiny, whether in the UN Security Council or other institutions of global governance. As a country representing nearly one-sixth of the world population, India's voice at the UNSC is important and should be heard.

12. *Recently, India has significantly cut back its oil imports from Iran. However, despite the economic sanctions the U.S. has imposed on Iranian trade, India and Iran continue to maintain ties. Could you please speak about the relationship between Iran and India in the contexts of India's energy import needs.*

Our civilizational links, energy security needs, and strategic necessities for access to Afghanistan and its stabilization require our continued engagement with Iran. However, at the same time, we have consistently maintained that Iran must abide by its treaty obligations and cooperate with the IAEA to address and resolve all outstanding issues about its nuclear program that continue to raise doubts in the minds of the international community. Also, India has scrupulously adhered to the multilateral sanctions against Iran as mandated by the United Nations. We are also cognizant of U.S. concerns, and have remained closely engaged on the Iranian issue. As we diversify our energy resources and as our oil importers make their own commercial judgment, crude imports from Iran have a steadily declining share in India's total oil imports—dropping from a level of over 16 percent in 2008–2009 to almost 10 percent in 2011–2012, and are expected to decline further in 2012–2013.

Editorials

A Question of the Individual

Lizzy Robinson

As can easily be gleaned from the smorgasbord of articles and interviews published in this volume of *Hemispheres*, the term “sovereignty” cunningly eludes precise definition, to the chagrin of policy wonks and students alike. We received submissions spanning the theoretical and practical gamut of sovereignty issues, challenges, and applications, in historical as well as present and future contexts. However, the majority of papers we read focused on the international and state level—that is, issues of sovereignty concerning states, international institutions, and non-state actors. Sure, most of the sovereignty-related issues that garner media attention are flashy norm-challenging and war-provoking matters; yet, at its base, at its foundation and most rudimentary underpinnings, sovereignty is not a question of the international or even of the nation, but rather one of the individual.

The structure of the international system is based on the balance of power between states seeking to promote and defend their interests; in the same way, the framework of a country—and, crucially, how it fits into the global domain—is built upon the underlying relationship between the government and the people. This association can be non-existent, democratic, authoritarian, or more likely, something in between. More specifically, one of the key elements of this relationship—indeed, implicit in the very definitions of the terms “democracy” and “autocracy”—is how much sovereignty the state has over its citizens, and how much sovereignty is left to the people themselves.

While in an anarchic state the lack of any federal authority means that the individual has complete and utter control over his own sovereignty, in a purely authoritarian state the government allows its citizens (or rather, subjects) only the bare minimum of personal sovereignty. Neither of these circumstances seems very desirable. On the other hand, democracy is characterized by a balance (though not necessarily an equal one) between individual and state sovereignty. In fact, this is the premise of the social contract: each individual must sacrifice some of his own sovereignty to the government in order to ensure that he is not threatened by the uninhibited actions of his fellow citizens, who also must agree to this same contract. Yet this system can easily break down if the government usurps too much sovereignty from its citizens, as occurs in an authoritarian state.

Ultimately, the root cause of sovereignty disputes at the international level is the condition of sovereignty at the individual level. A government that prevents its citizens from exercising what is seen, either by the people themselves or the international community, as the proper degree of sovereignty may find itself under pressure from other states to restore some of those rights.

Moreover, if a government completely disregards the sovereignty of its people (or of another state for that matter) and initiates a campaign of mass murder (or unjustified invasion) the international community may decide that the state has forfeited its *own* sovereignty because of its inability or unwillingness to respect that of *others*. Under such circumstances, an intervention, sometimes considered a breach of sovereignty itself, may occur in order to reestablish the proper balance of sovereignty between the state and individual. But what is this nebulous “proper balance” of sovereignty? And who determines it? That is, who or what has the sovereignty to define sovereignty? Herein lies the true challenge and confusion. At the moment, there is no answer.

Sovereignty is conventionally viewed from a global or state perspective, but this outlook often ignores the fact that whatever happens on these larger levels is only significant because of its effects on the individual level. The debate over the sovereignty of states is of vital import, but only because how it is resolved (or not) has significant repercussions on the sovereignty, and thus the happiness and prosperity, of individuals. This point is commonly lost not only in discussions of sovereignty, but also in studies of international relations in general—especially at the undergraduate level where the focus of academic work is often on mastering broad concepts and passing the next mid-term. But at the heart of this discipline—and hopefully those who study it—is the desire to improve the lives of our fellow people so that they, too, can enjoy all the fortunes of their individual sovereignty, and be free from the torture of its abrogation.

The Case for Further Integration in the European Union

Nicholas Golden, *Tufts University*

“Our future begins on January 1, 1999. The Euro is Europe’s key to the 21st century. The era of solo national fiscal and economic policy is over.” These were the words with which then-Chancellor Gerhard Schröder greeted the adoption of the Euro, qualified by a statement he made only months beforehand. In the weeks preceding his statement of praise, he declared the Euro a “sickly premature infant, the result of an over-hasty monetary union.”¹ His concerns over the new currency illuminate the arguments made at the time of the Euro’s adoption. Some leaders believed that a unified currency would further cement the binding of Europe for peace. Others argued that Europe was not ready for a shared currency, as the continent was still full of supremely different nations, and as such, integration had not gone far enough and perhaps should not have been taken up at all. Today, national-focused, irresponsible fiscal and economic policies threaten the European project, voted in by citizens who protest that their states’ sovereignty is threatened. For the greater good of the Union and the economies within and intertwined with it, however, these fiscal and banking regulations must be applied by means of further integration—whether the people like it or not.

Schröder and Kohl’s statements about the weakness partial integration could not have been more prescient. The beginning of 2010 saw growing investor panic over sovereign debt in the peripheral nations of the Euro bloc, the result of high levels of public and private debt. The crisis threatened to rot off the P.I.I.G.S., Portugal, Italy, Ireland, Greece, and Spain from the European whole by forcing their exit. It appeared that the warning of Chancellor Schröder had come true—in retrospect, the establishment of the monetary union was not as careful as assumed. The tensions of the panic in Europe in 2011 have arguably eased, thanks to emergency measures such as the European Financial Stability Facility (EFSF)² and European Financial Stabilization Mechanism (EFSM)³ which purchased sovereign debt, offered loans with caveats, and tried to alleviate the crisis. These institutions and actions have done a great deal to solve the immediate crisis; to solve the structural crisis, however, further integration is the solution.

The crisis has since morphed into a new phase, in which new reforms are needed to finish the renovation of the Eurozone. Since last year, discussion has taken the form of creating banking and fiscal union, with new fiscal and banking standards made the law of the land in Europe’s nations. As German Chancellor Angela Merkel said, we must put forth the goal to “change the basis

of [European] co-operation—through, for example, treaty change—in order to create a fiscal union with powers of enforcement, at least for those countries in the Eurozone.”⁴ In a blog post outlining fiscal union in the EU, Deputy Managing Director of the IMF Nemat Shafik stressed that “two elements would seem necessary to make the union more viable: a banking union, to make the financial sector more robust to future economic shocks; and more fiscal integration, to address the current gaps that amplify country-level shocks into zone-wide events.”⁵ This process has already begun. The Treaty on Stability, Coordination and Governance in the Economic and Monetary Union or Fiscal Compact went into effect on January 1, 2013, detailing the required GDP-to-debt ratios and other economic signifiers for Euro states, as a rectification of previous problems in unifying policy in the EU and as a precursor for further integration.

While this program of increased fiscal integration is deeply important to the long-term survival of the EU, it faces rising opposition in member states who see austerity policies as too detrimental to their national economies and as infringing on their sovereign rights to decide fiscal policy. New integration treaties could further limit the control sovereign states have over their budgets and finances. These fears are overblown. Parties including the Front National in France, the United Kingdom Independence Party, hard-right Jobbik in Hungary, neo-fascist Golden Dawn in Greece, and most recently, the Five Star Movement in Italy all claim an anti-EU stance for reasons varying from austerity protests to a perceived lack of sovereignty. There is a measure of truth here, as elected leaders seek to sign treaties making each nation’s laws more in tune with EU-wide policy, but their concerns are still overwrought. All of these countries are still democracies, capable of controlling their own policies. Fiscal and banking union is not the demon it appears to be, crushing the right of a nation to go about its business of budgeting or foreign relations. Rather, it intends to secure the original intent of the Union.

The hostility of these groups toward fiscal and banking integration comes from a sense of being voiceless on policy. From decreasing voter turnout in the European Parliament elections to a sense that small nations’ electorates are marginalized by the bigger states in crafting Union policy, the imposition of policy by the Union even before the crisis had not earned it any deep affection.⁶ There is a sense that many nations, such as Greece, have had policy dictated to them to the extent that they have lost their capacity to be fiscally sovereign within their own borders. This sentiment is natural given that emergency loans have included conditions limiting the ability of these countries to be totally in control of budgets.

The intransigence of anti-EU parties has already done damage to the maintenance of a fraying Union. In Italy, the Five Star Movement’s large turnout in recent elections has created a hung parliament, inspiring a downgrade of the nation’s debt to BBB+ with a negative outlook. Since the Euro Crisis began in early 2010, no fewer than nine of the zone’s 17 national leaders have been ejected from office,⁷ replacing them with leaders less prone to make hard

choices. The election of President Hollande in France serves as an example of a candidate running on a pro-spending platform, against the spending cuts recommended for many debt-laden states. The inability of Spain, Greece, Italy, and others to make necessary reforms at the height of the crisis undermined confidence in the global economy and further deepened the crisis. This electoral instability, punctuated by riots in nations including Spain and Greece, is a reaction to austerity policies endorsed by the EU proper, and threatens the European project.

The inability of voting Europeans to stop austerity measures in their nations is a small problem in comparison to the survival of the Union itself. Though it is a far right issue today, concerns over national sovereignty could become mainstream. If this were to occur, reforms would be almost impossible to complete to the extent that is necessary. Instead, countries like Spain, Italy, Greece, and Portugal, and soon France, need to have the political will to follow the necessary measures to pursue integration, despite public hostility. If angry electorates decide to vote against these reforms in favor of “spend now, cut later” policy, investor fears could eventually make debt unsustainable, perhaps even bringing about the much-discussed European break-up.

If the survival of the European Union is taken to be an imperative for the political and economic unity of Europe, then further integration is necessary. It will allow the European Union to take the necessary steps to fix its economies, imposing stricter rules on members that will return confidence and create rules requiring the reinstatement of competitive policies in the problem states. A more integrated EU will be able to continue to promote global human rights, work more with the international community against terrorism and failed states, and, by fixing its own economy, move the obstacle of European uncertainty out of the way of global economic reinvigoration. With more ability to act abroad, the EU could help the U.S. pursue a Western agenda of open forums and peaceful global commons in today’s world and the frontiers of tomorrow as a strong partner in multilateral affairs.

Notes

1. <http://www.guardian.co.uk/world/1999/jan/01/E.U.politics>
2. <http://www.bloomberg.com/news/2011-01-22/ecb-s-stark-says-rescue-fund-may-buy-bonds-recapitalize-banks.html>
3. <http://www.google.com/hostednews/afp/article/ALeqM5gTYQGEdx2fNsLoryy oQixCgbAtuQ?docId=CNG.7f52d5080666c6faeec68359512796af.941>
4. <http://www.guardian.co.uk/business/2011/dec/02angela-merkel-E.U.rozone-fiscal-union>
5. <http://blog-imfdirect.imf.org/2013/02/15/europe-toward-a-more-perfect-union/>
6. <http://www.economist.com/node/21555927>
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