

Hemispheres

The Tufts Journal of International Affairs
Volume 18 1994

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Articles submitted to HEMISPHERES for review should be at least 2000 words in length. Contributors may submit papers at any time during the academic year. However, the deadline for articles generally falls in early April. All authors must provide a typewritten manuscript, as well as a copy of their article on a Macintosh, IBM PC or PC-compatible diskette, to be considered for publication. For spelling, punctuation and style, please refer to the *AP Stylebook* and the *American Heritage Dictionary*.

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FROM THE EDITOR

The triumphs and tragedies of today's world are being dangerously confused. So-called historic rivalries, having now been rekindled, are making a disheartening mockery of peace. Yet, policy-makers throughout the global arena have met the challenges of our era with stunning inaction and overwhelming uncertainty. The articles presented in this, the 18th annual issue of HEMISPHERES, react to the dilemmas, policies and conflicts of contemporary international relations with intelligence and awareness. Moreover, it is the purpose of this journal to provide a forum for the discussion of the very issues that are shaping our lives and the world around us.

Two pieces, in particular, stand out as the most outstanding and in-depth of all papers submitted this year: Amy Lovell's, "The Risk of Being Female" and Juliet Stein's, "Kosovo's Martyr." Ms. Lovell and Ms. Stein have both given this year's HEMISPHERES AWARD (previously named the Gibson Hemispheres Award). In addition, as has been the tradition of this journal, the recipient of THE JOHN S. GIBSON AWARD, Rune Kongshaug, has been published for his work entitled, "Norway and EC Membership," judged by the International Relations faculty as having been the most outstanding piece written in the field this year.

HEMISPHERES has been privileged this year to have received a wealth of comprehensive and thoughtful pieces focusing on Asian affairs. This volume also contains two works concerning Latin American politics. Finally, a piece examining nuclear strategy and policy during the Carter presidency is included.

The Editorial Board would like to extend its deepest appreciation and gratitude to John Jenke, Claire Martin and Professor Donald Klein for their advice and support. The Board would also like to thank all the students who submitted their works and the faculty members who encouraged them to do so.

Vivek R. Shah,
EDITOR-IN-CHIEF



The Risk of Being Female

by Amy Lovell

Discrimination against women shall mean any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.

—Article 1 of the Convention on the Elimination of
Discrimination Against Women

Women constitute 2.63 billion of the world's 5.36 billion people, outnumbering and outliving men in most regions. Women make up two-thirds of the world's workplace. Women spend more time working than men in all of the industrialized and developing countries. Women are the sole providers for a half of the world's households.

However, women receive one-tenth of the world's income. Women own less than one-hundredth of the world's property. Women earn 30-40 percent less than men. Women are segregated by sex in the workplace. Women fill more than a half of the clerical services and entry-level jobs. Women run two-thirds of the world's poorest households. Women are denied rights to borrow money and to enter contracts. Women are considered to be economically unproductive. Women are denied adequate health services. Half of the women in Asia and Africa are malnourished. Women are the victims of violence.

For decades, women have been trying to combat the problems of inequality and discrimination through the mechanisms of international human rights laws. As early as 1937, The Covenant of the League of Nations appointed an expert committee to study the legal status of women. Although the League dissolved, the

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committee marked the onset of international recognition of women's legal rights. The UN Charter and the Universal Declaration of Human Rights were the first major international documents mentioning the rights of equality for women. Following the Declaration was the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Both of these human rights treaties specifically address the rights of women.

Unfortunately, the UN Charter, the Declaration and the two Covenants were not enough to stop the practice of discrimination against women. As a result, on December 18, 1979, after five years of deliberations, the Convention on the Elimination of All Forms of Discrimination was approved by the UN. Although discrimination still exists, the Convention is the only "universal binding instrument to focus on the human rights of women."⁵ Therefore, the UN—and, specifically, the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW)—must work with the Convention and the States Parties to combat the problem of discrimination. New methods of implementation and new procedures to measure compliance must be established.

This paper will: outline the history surrounding the Convention, analyze the international legal history leading to the Convention, describe the structure of the Convention and CEDAW, discuss the implementation of the Convention, analyze the reporting procedure, discuss the activities of specialized agencies and non-governmental organizations, outline the different problems with the Convention and CEDAW, focus on the specific problem of violence toward women, and suggest future recommendations and possible solutions for the Convention and CEDAW.

History Surrounding the Convention

While men served in subordinate positions, women ran empires as queens and empresses in ancient Egypt, Celtic Britain and Japan. Spartan women owned two-thirds of the land. Arabian women owned herds tended by their husbands. Egyptian women charged their spouses interest on money lent to them. Perhaps the best statement marking the importance of women was the ancient Egyptian marriage vow in which the male said, "I bow before your rights as a wife. From this day on, I shall never oppose your claims with a single word, I recognize you before all others as my wife, though I do not have the right to say you must be mine, and only I am your husband and mate. You alone have the right of departure...I cannot oppose your wish whenever you desire to go."⁶ Clearly, women were considered an integral part of society. Their economic and social achievements were recognized and praised.

Unfortunately, views toward women changed. With the development of mono-

theistic religions, women became devalued through interpretations of liturgical texts. The following excerpts from Bengali, Buddhist and Hebrew texts demonstrate how these twisted meanings were some of the earliest examples of discrimination against women:

'A woman's heaven is under her husband's feet.'

'The body of a woman is filthy, and not a vessel for the law.'

'Blessed art thou, O Lord our God, King of the Universe, who has not made me a woman.'⁷

These religious interpretations introduced new stereotypes about women. As a result, women were stripped of their rights before the law. Women lost their rights of choice in marriage, their rights to property and inheritance, their rights of control over their bodies, and their rights to education. In turn, the law became an instrument of control and prevented them from gaining economic and social equality.

It was not until the early 20th century that discrimination against women was acknowledged as an international problem. The first convention touching on the rights of women was The Hague in 1902. It referred to the marital rights in a case of divorce and to the rights to exercise custody over minors. In 1919, the International Labor Organization (ILO) began to take interest in the position of women, as well. The organization drafted three conventions dealing with women: The Maternity Protection Convention (1919), The Limitation of Employment of Women on Nightshifts (1934), and The Ban on Employing Women in Subterranean Work (1935). Finally, at the Sixth International Conference of American States in 1923, an International Women's Commission was established. Following the organization of the Women's Commission, the Convention on the Nationality of Women was approved at the Seventh Conference of American States in 1938. In 1951, the ILO approved another convention (#100) dealing with equal remuneration for men and women. Shortly after the ILO convention, the UN drafted its first convention dealing specifically with women, The Convention on Political Rights of Women (1952). This convention was the first international legal instrument to grant women equal political rights.

After World War II, forces within the UN worked toward eliminating discrimination against women. Three UN bodies, the General Assembly, the Economic and Social Council (ECOSOC), and the Commission on the Status of Women (established on June 21, 1946 as a functional commission of ECOSOC) started introducing the problem of women's rights into their programs and activities. In 1962, the General Assembly decided to establish a long-term UN program for the advancement of women. The main objective of the program was "to promote the universal recognition of the dignity and worth of the human person and of the

equal rights of men and women in accordance with the UN Charter and The Universal Declaration of Human Rights.”⁸ In 1970, the UN General Assembly made the first move within its own structure to eliminate discrimination against women. It adopted its first resolution in history calling for equal opportunities for employment of women in the UN Secretariat.

In addition, in 1972, the UN declared that 1975 would be the International Women’s Year. The major event marking this year was the World Conference in Mexico City that occurred from June 19 to July 2. More than 1000 representatives from 133 states took part in the conference. At the conference, the years from 1976 to 1985 were marked as the UN Decade for Women. During this period of time, the UN hoped to promote the “enactment of legislation to bring national laws into conformity with relevant international instruments, especially the Declaration on the Elimination of Discrimination Against Women.”⁹

In 1980, another World Conference on Women was held in Copenhagen. This conference marked the half-way point in the UN Decade for Women. Specialized agencies and non-governmental organizations (NGOs) were asked to participate by submitting reports and data on the status of women.

Finally, in 1985, the Nairobi World Conference was held. One hundred and fifty-seven countries participated in assessing the successes and failures of the UN Decade for Women. As a final point of action, the nations approved the Nairobi Forward-looking Strategies for the Advancement of Women. The four major demands of this document were to: 1) “play key roles in ensuring that both men and women enjoy equal rights;” 2) “act to remove negative stereotypes and perceptions of women;” 3) “disseminate information to women about their rights and entitlements;” and 4) “collect timely and accurate statistics on women and monitor their situation.”¹⁰

The Nairobi Conference marked the end of major events and meetings surrounding the Convention on the Elimination of All Forms of Discrimination Against Women.

International Legal History Leading to the Convention

The UN Charter, signed on June 26, 1945, was the first international instrument to mention equal rights of men and women. The issue is dealt with in the preamble and in articles 1, 8, 13, 55, 56 and 76. In the preamble, it states that the peoples of the United Nations is determined “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, [and] in the equal rights of men and women.”¹¹ In addition, one of the purposes of the UN, stated in article 1(3), is “promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or reli-

gion.”¹² Finally, in article 56, “all members pledge themselves to take joint and separate action...for the achievement of the purposes set forth in Article 55” which calls for the respect of human rights without distinction to sex.¹³

On December 10, 1948, the Universal Declaration of Human Rights was adopted by the General Assembly. The Declaration begins to deal with the issues of discrimination and equality more specifically. Ten of the 30 articles (articles 1, 2, 4, 7, 10, 16, 18, 21, 23 and 26) in the Declaration remark on equality of men and women. The preamble appears to be an elaboration of the preamble in the UN Charter. It comments on “the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world.”¹⁴ Article 1 states that “all human beings are born free and equal in dignity and rights” and article 2 continues with the proclamation that “everyone is entitled to all the rights and freedoms set forth (therein) without distinction of any kind, such as...sex.”¹⁵ The Declaration goes on to give women the same rights as men in marital matters, voting and work. In addition, it is “amazingly free of...sexist language.”¹⁶ The words “everyone” and “no one” are used intentionally throughout the document.

Following the UN Charter and the Universal Declaration of Human Rights, the two international covenants emphasize the right to equality and freedom from discrimination. The International Covenant on Economic, Social, and Cultural Rights, adopted on December 16, 1966, stresses the “right to racial, sexual, and religious equality.”¹⁷ The preamble declares that “the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, color...and sex.”¹⁸ In addition, the Economic and Social Covenant, deals specifically with the ideals of equal opportunity in the workplace and equal remuneration. Under these topics, the dispute over affirmative action began. In the Covenant, it states that equal opportunity will be assured with “no considerations other than those of seniority and competence.”¹⁹ In the Convention on the Elimination of All Forms of Discrimination, this matter is dealt with differently. Article 4 (1) states that “adoption by states parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination.”²⁰

The International Covenant on Civil and Political Rights, adopted by the General Assembly on December 16, 1966, elaborates on prohibitions against racial, sexual and religious discrimination. In article 3, “the States Parties...undertake to ensure the equal rights of men and women to the enjoyment of all civil and political rights.”²¹ This covenant also pays specific attention to equal rights before the law without any discrimination. In article 26, it states that “all persons are equal before the law and are entitled without any discrimination to the equal protection

of the law."²² In article 14, it deals specifically with equal rights before courts and tribunals and the right to recognition before the law. In addition, the Covenant also touches on the rights of both partners in marriage.

In addition to the aforementioned documents, there were several conventions dealing with discrimination against women before the Convention on the Elimination of All Forms of Discrimination Against Women. These included: the Convention on the Political Rights of Women, the Convention on the Nationality of Married Women, the Convention and the Recommendation on Consent to Marriage, the Minimum Age for Marriage and Registration of Marriage, the Supplementary Convention on the Abolition of Slavery, Slave Trade, Institutions and Practices to Slave Trade, and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. However, the drafting of the Declaration on the Elimination of Discrimination Against Women brought the specific problem of discrimination to the forefront of international human rights law.

In 1966, at its 19th session, the Commission on the Status of Women prepared a draft of the text of the Declaration on the Elimination of Discrimination Against Women. The Commission realized that despite the UN Charter, the Universal Declaration on Human Rights, and the International Covenants, "there continued to exist considerable discrimination against women."²³ There was a need for an international instrument that defined the actual problem of discrimination against women.

The text was finally adopted on November 7, 1967. The Declaration consisted of an eight-point preamble and eleven articles. Article 1 dealt with the definition of "discrimination." It defined "the problem of discrimination" as follows: "discrimination against women, denying or limiting as it does their equality or rights with men, is fundamentally unjust and constitutes an offense against human dignity."²⁴ The other 10 articles provided measures to be taken through the "enactment of new laws or the abolition of existing laws, customs, and practices, to guarantee the principle of equality of rights for men and women."²⁵ In addition, article 3 has the first reference in an instrument of international law stating, "the need to educate public opinion and to direct national aspirations toward the abolition of discrimination against women."²⁶ The Declaration also reiterates provisions from other conventions and organizations. It restates the provisions of the 1952 Convention on the Political Rights of Women, the 1975 Convention on Nationality of Married Women, and the 1949 Convention for Suppression of Traffic in Persons and Exploitation of Prostitution of Others. The Declaration also incorporates articles 1 and 2 of the UNESCO 1960 Convention Against Discrimination in Education.

Between 1968 and 1969, the Commission on the Status of Women asked non-governmental organizations and national organizations to help with the implementation of the Declaration. The Commission invited these groups to: 1) publicize the text of the Declaration, 2) issue pamphlets and articles concerning the Declaration, 3) use the media to educate women on their rights, and 4) undertake further studies on the role of women. The commission also encouraged participation from specialized agencies. Finally, in 1969, ECOSOC made a request to the Secretary General for more of the available resources in implementing the Declaration.

However, in 1973, a working paper was drafted on the implementation of the Declaration and on the situation concerning discrimination against women. The working paper emphasized the fact that earlier instruments, including the 1967 Declaration, had failed to promote the issue of equality for women. As a result, the Commission decided to make another effort to combat these crimes against women. The outcome of this activity was the Convention on the Elimination of All Forms of Discrimination Against Women.

The Convention

In 1973, the Commission on the Status of Women completed a working paper on discrimination against women. The paper revealed that the previous conventions dealing with equality for women had failed. It reinforced the fact that "inequality of the sexes, is, in fact still part of the idealized heritage of a large part of public opinion which sees in this nothing that is odious or persecutory while discrimination based on other differences such as race and religion is considered permissible."²⁷ In addition, it states that the Declaration on the Elimination of Discrimination Against Women was "not legally binding on states even though it had moral force."²⁸

As a result of the working paper, the Commission decided to draft a convention which combined the old instruments with new methods and contained the mechanisms to be widely publicized. In 1974, the Commission started the draft of the convention.

In 1977, the first draft was submitted to the General Assembly. On October 19, 1977, the General Assembly assigned a working group to analyze and finalize the draft. Between September 29, 1978 and December 6, 1978, the working group held 21 meetings to make final additions to a group of articles dealing with the elimination of discrimination against women in marriage, family matters, education, and employment. In addition, the working group added two articles dealing with health care issues and family benefits.

Finally, on December 18, 1979, the General Assembly unanimously adopted

the Convention and opened it for signature, ratification and accession.

Structure of the Convention

The Convention consists of a preamble and 30 articles which are divided into six sections. The first major decision centered on the title of the Convention. Unlike the Declaration, the title includes the words "all forms of discrimination." The Commission wanted to eliminate "'such discrimination in all forms and manifestations.'"²⁹ In addition, the Convention makes it very clear that women are victims of many forms of discrimination. For example, many women are "subject to pervasive forms of discrimination woven into the social fabric."³⁰ These forms of discrimination stem from stereotypes and traditional roles placed upon women.

Another source of deliberation concerned the development of a legal definition for "discrimination against women." In the Declaration on the Elimination of Discrimination Against Women, it simply states why discrimination "constitutes an offense against human dignity."³¹ Therefore, the Commission used the definition of "racial discrimination" from the International Convention on the Elimination of All Forms of Racial Discrimination (1965) as a basis for the definition in the Women's Convention.

In article 1 of the Race Convention, the definition for "discrimination" appears as follows:

Any distinction, exclusion, restriction, or preference based on race, color, descent, or natural, or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights, and fundamental freedoms in the political, economic, social, cultural or any other field of public life.³²

In article 1 of the Women's Convention, "discrimination against women" is defined similarly. It appears as follows:

The term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field.³³

There are two major differences between the definitions. The Women's Convention does not acknowledge the idea of preferential treatment based on sex and it does not limit itself to situations occurring in public life.

After the title and definition were finalized, the Commission then developed a

list of 30 articles which are divided into six sections. Several of the sections and articles are based on provisions from other human rights documents. For example, article 9, which contains the issue of the nationality of married women, is based on articles 1, 2 and 3 of the Convention on the Nationality of Married Women. In addition, article 10 of the Convention is similar to articles 1 and 2 of the UNESCO Convention on Discrimination in Education.

The first part of the Convention contains six articles which include: article 1—the definition article; 2—measures on adopting new legislation; article 3—the movement toward the full advancement of women; article 4—the legality of affirmative action; article 5—the need to modify social and cultural patterns which discriminate; and article 6—the need to end the traffic and prostitution of women. The second part centers around women's political rights (articles 7 and 8) and their rights concerning the nationality of their children (article 9). Part three consists of rights to education (article 10), employment (article 11), health care (article 12), and family benefits and financial credit (article 13). In addition, article 14 of part three deals with the specific provisions for rural women. Part four centers around equality before the law (article 15) and the elimination of discrimination in marital matters (article 16). Part five (articles 17 through 22) deals with the establishment of the Committee on the Elimination of All Forms of Discrimination Against Women, and its rules and procedures. Finally, part six (articles 23 through 30) covers the need for national legislation and provides the technical provisions to deal with the operation of the Convention.

The Convention finally came into force on December 18, 1979. Unfortunately, there have been several problems concerning the implementation of the convention and the monitoring process by CEDAW.

CEDAW

The Committee on the Elimination of All Forms of Discrimination is the expert body established by the Convention. CEDAW's main duty is to oversee the implementation of the Convention and to monitor the compliance of the Convention. It consists of 23 experts, a rapporteur, a chairman and three vice-chairmen. According to article 17 (11) of the Convention, the 23 experts are elected by the States Parties and represent "different forms of civilization as well as the principal legal systems."³⁴ As of yet, all of the members have been women, with one exception. In addition, there has been much more diversity among CEDAW's members than in other international treaty bodies. Usually, the members are lawyers. In CEDAW, however, the members have included lawyers, doctors, public health and hospital administrators, political-science specialists, geographers, trade union leaders, professors, social workers and engineers. Almost of all of these

individuals have had some background with feminist issues or groups, as well. As a result, CEDAW's members often have a "commitment to women's rights...deeper than their commitment to government institutions."³⁵

CEDAW has very limited powers in implementing and monitoring the convention. It has no "quasi-judicial" powers to enforce the Convention or to label a State Party a violator of the convention.³⁶ The only means of measuring compliance or of applying pressure to States Parties is through the reviewing of country reports. A positive report may serve as a catalyst for future progress. A negative report, the only means of enforcement, has the potential to embarrass a country and force it to comply with the convention.

Implementation of the Convention: Monitoring Compliance, Due Process and Enforcement

CEDAW has run into numerous problems monitoring compliance, providing due process, and enforcing the Convention. CEDAW has limited powers and the country reports provide the only means of measuring compliance and enforcing the Convention.

First of all, States Parties are obliged to comply with the provisions of the Convention. Compliance is "essential to the security and well-being of states and other actors, especially individual humans, in the international system."³⁷ Under article 26 of the 1969 Vienna Convention on the Law of Treaties, it states that "every treaty in force is binding on the parties to it and it must be performed by them in good faith."³⁸ This statement is an expansion on the basic concept of *pacta sunt servanda* ("treaties must be obeyed").

The annual country reports are the instruments used to measure compliance with and domestication of the Convention. If a state violates a part of the Convention, CEDAW can scold the State Party, request additional information, and make a recommendation to the General Assembly concerning the actions of an individual violator.

Condemnation is CEDAW's only means of enforcement. Besides pointing out violations in the country reports, CEDAW has absolutely no power to enforce the Convention. Hopefully, the "mobilization of shame" will disturb relations between the UN and the nation, stir up opposition toward the state, or damage the country's credit rating. CEDAW, however, has never used the limited power it has to label a nation a violator of the Convention. The most CEDAW has ever done is to criticize strongly a State Party for not taking the Convention seriously. It is usually the developing countries that receive this type of criticism because of their inadequate and tardy reporting procedures. However, even when CEDAW criticizes these States Parties, they will "go to some lengths to commend the country for the

efforts it has taken and to rephrase the criticism in a somewhat muted form.”³⁹

Any form of due process, “a procedure for individuals and states to seek a remedy in law against a state for allegations of non-compliance to the law of human rights,” is literally impossible to obtain through the mechanisms of the Convention or CEDAW.⁴⁰ The Convention does not provide any procedure to address individual complaints against States Parties. The Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention Against Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment included optional procedures to deal with individual communications. However, after exhausting the judicial resources within their jurisdiction, individuals addressing the Convention can only use the 1503 procedure or submit their grievances to the Human Rights Committee. Though the 1503 procedure is used to address widespread patterns of discrimination against women, no one has ever used it to appeal to the secretary-general of the UN on a violation of the Women’s Convention. In addition, under article 29 (1), the International Court of Justice only handles disputes between two States Parties concerning the implementation and domestication of the Convention.

CEDAW needs to find other means of monitoring the application of the Convention. In addition, an optional protocol should be adopted to the Convention. This would authorize CEDAW to review individual and interstate complaints. After implementing an optional protocol, CEDAW would not need to create any additional organs. CEDAW would simply have more power to act on additional problems and issues.

Reporting Procedure

According to article 18 of the Convention, States Parties must submit “a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the...Convention and on the progress made [in that regard].”⁴¹ In addition, States Parties agree to present an initial report, within one year of signing the Convention, and additional reports every four years.

For the consideration of the initial country reports, CEDAW uses the same procedure as CERD and the Human Rights Committee. The review meetings take place in the presence of representatives of the State being evaluated. The questioning is done article-by-article. If a specific point of concern is singled out by several members of CEDAW, questions are repeated. After reviewing the country reports, CEDAW reports annually to the General Assembly through the Economic and Social Council.

The procedure to review the secondary reports is based on a procedure created

by the Human Rights Committee. The secondary reports are reviewed by two working groups. One working group prepares a list of questions concerning an individual report. This group then gives the list to the committee members for review. Once the list is accepted, the State Party has a chance to address the questions before their report is reviewed by CEDAW.

The reports, however, are usually prepared by government officials. As a result, they tend to be "self-congratulatory rather than self-critical."⁴² To try to combat this problem, CEDAW established a set of guidelines for the reports. Unfortunately, the guidelines are too general and do not specify the type of needed information. In addition, the reports are often overdue and incomplete. There is also a lack of commitment on behalf of the State Parties. The signatories do not have the expertise or resources to prepare the reports. The developing countries have the most problems. However, CEDAW only has the power to remind the State Parties to send their reports or to approach their representatives.

In addition, there is an incredible backlog of reports. This problem is a result of the lack of time each CEDAW session has to review the reports. As a result, CEDAW has to rely on the limited information of the States Parties and of its members.

Specific Examples from Country Reports

In order to illustrate the implementation and domestication of the Convention, several examples from the 1985 and 1992 CEDAW reports are included in the following section. In addition, many of the inconsistencies in the reporting procedures are clearly shown. The focus for the 1985 report is on China and Egypt. For the 1992 report, the two countries concentrated on are China and El Salvador.

1985 Report

In 1985, China reported on several programs and modifications to eliminate discriminatory laws. China established a nationwide publicity campaign to break down the ideals and customs of the past which upheld the idea of male superiority. In addition, a program to increase the number of women in legislative positions was initiated. China also stated that females were given equal opportunity in education. However, the Chinese representative admitted that most parents in rural areas were reluctant to send their daughters to school. With the issue of equal pay in the workplace, China reported that equal wages were guaranteed for women. At the same time, though, it was pointed out that most women in China must work in industries that traditionally pay less.

Egypt also made several additions to the CEDAW report in 1985. The government reported on the establishment of the General Department for Women's Af-

fairs within the Ministry of Social Affairs in Egypt. This department is to formulate policies and plans for the protection of women and for the integration of women into development. In addition, the National Commission for Women set up 246 women's clubs to provide training skills to women. However, Egypt also made an additional reservation to the Convention. It reserved the right in applying article 9 to grant women equal rights with men with respect to the nationality of their children. In Egypt, women can only transmit citizenship to a child if the father has no nationality. Egypt stated that it was not bound by article 16, concerning the equality of women and men in matters relating to marriage and family, as well. The representative explained that article 16 conflicted with the Islamic Sharia law which restricts a wife's rights to divorce by making it contingent on a judge's ruling.

1992 Report

China's 1992 report contained much more detailed information. The representative stated that the Convention was being domesticated through the "following new laws and regulations: a law on the protection of the rights and interests of women,...a regulation by the Ministry of Labour and Personnel on the postponement of the retirement age of senior women experts,...and a decision on the strict prohibition of prostitution and whoring."⁴³ In addition, over 31 provinces developed local regulations dealing with discriminatory laws against women.

Under article 5 of the Convention, China initiated a five-year program to educate women on their legal rights. Seminars were also held on the role of the mass media "in enhancing a positive and new image of women who enjoyed self-respect, self-confidence, independence, and self-improvement."⁴⁴

In addressing article 7 of the Convention, the Chinese representative reported that the percentage of women in parliament increased by 15 percent. In addition, the number of women in governing bodies included: "634 deputies (21.3 percent) in the National People's Congress, 16 members (11.6 percent) in the Standing Committee of the National People's Congress, 2 vice-chairpersons (18 percent) in the Standing Committee of the National People's Congress, 10 members (6 percent) and 12 alternate members (11 percent) in the Central Committee of the Communist Party of China, and 1 member (0.5 percent) in the Advisory Commission of the CPC Central Committee."⁴⁵

On the issue of equal opportunity in education, China was not as successful. In 1992, out of 180 million illiterate people, 70 percent were women. In addition, only 46 percent of females attended primary school, 41.4 percent attended secondary school, and 33.7 percent attended tertiary school.⁴⁶

Finally, when questioned on the state of health care for women, China reported

that the infant mortality rate had decreased and that the gender ration had not been affected by the one-child family policy.

El Salvador's report, on the other hand, lacked the detailed information requested by CEDAW. The representative quickly pointed out that the country had been through a major crisis in the 1980s, though.

Regardless of the inadequate report, El Salvador allocated certain responsibilities in dealing with women's issues to different departments within the government. The Attorney General "started legal action in cases of violations of human rights against women."⁴⁷ The Office of Women, the National Secretariat for the Family within the Women's Office, the Department for Women and Minors within the Ministry of Labour and Social Security, and the Center for Development for Rural Women received the general duty of monitoring "the protection of women in society."⁴⁸

On issues dealing with women in the family, El Salvador stated that a new civil code that protected women as members of the family was drafted. In addition, both spouses were given equal rights with respect to personal and property rights. However, women still had to wait for a period of 300 days after the end of a previous marriage in order to remarry.

Under article 4 of the Convention, El Salvador was working hard toward the modification of the family, labour and penal codes. Monthly seminars for women on health, the new draft laws, the defense of women victims of family violence, and the integration of women into development were given, as well.

On the issue of violence against women, rape was considered a crime. However, under the Penal Code, there is a different penalty for the rape of a prostitute. El Salvador responded to this inconsistency by stating that the code was under review.

Finally, the representative for El Salvador ended her report with the following quote: "In my country equality between men and women is still an aspiration rather than a reality."⁴⁹

It is important when reviewing the country reports to remember that many of the statements are exaggerated and false. In the US State Department Reports, the reporter stated that "discrimination based on...sex has persisted in China."⁵⁰ The 1982 Constitution declares that "women in the People's Republic of China enjoy equal rights with men in all spheres of life."⁵¹ According to the State Department Report, though, Chinese women are employed in lower-level positions and in lower-paid jobs. In addition, the majority of the educated are still women and the practice of female infanticide is still prevalent.

In Egypt, the 1992 report stated that Egyptian women still need their husband's or father's permission to obtain a passport or travel abroad. In addition, only males

can transmit their nationality to their children and the practice of female circumcision is widespread.

Additional Duties of CEDAW

In addition to reviewing the States Parties' reports, CEDAW is concerned with many other issues dealing with the equality for women. First and foremost, CEDAW works toward formal legal equality of women. Men and women receive different treatment under national laws and forms of discrimination against women are often embodied in penal laws. Secondly, CEDAW hopes to remedy the situation concerning the minimal representation of women in higher levels of decision-making. Embodied within this idea, CEDAW plans to use article 4 which permits affirmative action in the workplace. Thirdly, in the area of unemployment, CEDAW makes inquiries about the existence of laws against discrimination and harassment in the workplace, the extent of sex segregation, the idea of equal pay for equal work, and the need for child-care. Fourthly, on the issue of equal marital rights, CEDAW wants to ensure the right to marriage and divorce, equal opportunity over custody of the children, and the end of polygamy. Fifthly, under article 5 of the Convention, CEDAW has a duty to destroy stereotypes of men's and women's roles in society. Finally, CEDAW wants to expand the "international dimensions of women's subordination and the transnational scope of the Convention which have remained largely confined to the peace movements."⁵² The Convention does not emphasize the need for international involvement in combating discrimination against women. The only two exceptions are article 6 of the Convention which calls for international cooperation in ending the trafficking of women and article 8 which calls for the "promotion for women in international organizations."⁵³

Along with the country reports and the additional duties, CEDAW has many responsibilities concerning the monitoring of the Convention and the promotion of women's rights. As of yet, though, the specialized agencies have done little to ease CEDAW's burdens. The nongovernmental organizations, however, facilitate CEDAW's process of relaying information about the Convention.

Specialized Agencies and Non-governmental Organizations

Specialized Agencies

Within the United Nations, there are several specialized agencies that could assist CEDAW. CEDAW is allowed to make recommendations to the General Assembly concerning patterns of violations by certain countries. In order to make these suggestions, though, CEDAW needs information that is not found within the country reports. Under article 22 of the Women's Convention, the specialized agencies are entitled to be represented at CEDAW meetings. The specialized agen-

cies could easily provide CEDAW with detailed country-specific information.

The Division for the Advancement of Women, based in Vienna, is the UN center for all activities dealing with women's issues. It is the Secretariat for the Commission on the Status of Women and for CEDAW. The agency maintains a data bank on women, the Women's Information System. Since January of 1985, this information system has contained two thousand UN documents on women's issues.

The Commission on the Status of Women, based in Vienna, was set up in 1946. The Commission has 45 members and promotes the further establishment of women's rights. In addition, the Commission monitors the status of women around the world and prepares recommendations and reports to ECOSOC.

Situated in the Dominican Republic, the UN International Research and Training Institute for the Advancement of Women (INSTRAW) was created by ECOSOC in 1975. Its main purpose is to expand research, training, and information meetings on women.

Finally, the UN Development Fund for Women (UNIFEM), located in New York, was established in 1976. UNIFEM provides direct support for women's projects.

In addition to the agencies specifically dealing with women, UNESCO, the ILO, the FAO, UNICEF, and WITO could provide more information to CEDAW. However, out of all of the aforementioned agencies, only the ILO and UNESCO have participated in CEDAW meetings. None of their reports, though, contained detailed information that could aid CEDAW in their process to combat discrimination.

Perhaps there are simply too many organizations dealing with women's issues. Perhaps the energy is too thinly spread. The agencies with the UN need to make an effort to conglomerate their information. Without this cooperation, women will suffer at the hands of stubborn and selfish UN agencies.

Nongovernmental Organizations

Over 30 international women's organizations provide useful and independent information to CEDAW. In addition, these nongovernmental organizations "link women in their constituent groups at the international, national, and grassroots level."⁵⁴

The Convention does not provide an official procedure on requesting and receiving information from the nongovernmental organizations. Therefore, the nongovernmental organizations develop their own methods and procedures for aiding in the implementation of the Convention.

According to CEDAW, the main role of the nongovernmental organizations is

to widely publicize and to implement the results and recommendations of the CEDAW sessions. In addition, the organizations often launch their own projects and activities, and support and assist governmental programs.

For nongovernmental organizations dealing with women's issues, there is also an annual conference. At the conference, the various groups distribute printed publications, leaflets, posters, films, and audio-visual information. In addition, a questionnaire from the Secretariat is distributed. The questionnaire assists in collecting data and research on the status of women.

Many of the nongovernmental organizations support CEDAW by making specific recommendations to their perspective governments. These recommendations include pushing governments to sign and ratify the Convention and suggesting that military budget cuts go to develop funds for the development of equality for women.

The nongovernmental organizations supporting the Women's Convention are an extremely active group. Although the priorities are sometimes spread thin, these groups provide information, resources, and volunteers to aid in the implementation of the Convention. A list of several of the larger nongovernmental organizations is included in Appendix B.

Problems

Country Reports

When the two sets of country reports from 1985 and 1992 were compared, the inconsistencies in reporting procedures were highly visible. In accordance with article 18, CEDAW should have received 52 country reports in 1985. However, only 26 were sent. As a result of a lack of reports and time, CEDAW only considered the initial reports of 18 States Parties which included: Austria, Bulgaria, Canada, Cuba, China, Egypt, the German Democratic Republic, Hungary, Mexico, Norway, Panama, Rwanda, Sweden, the Ukraine, the USSR and Yugoslavia. As usual, the reports were self-congratulatory. Most of the States Parties reported that efforts were made to comply with the standards set forth in the Convention.

Reservations

In addition to the inconsistencies in reporting procedures, the Convention is the most heavily reserved of any any international human rights convention. At least 23 of the 116 States Parties have made over 88 reservations to the Convention. These reservations, "limitations to the obligations imposed by a treaty that a State Party specifies when becoming a signatory," threaten the goal of the Convention.⁵⁵

Article 26 of the Vienna Conference states that "every treaty in force is bind-

ing upon parties to it and must be performed by them in good faith."⁵⁶ Reservations are allowed, however, because they offer "an assurance that the states can protect its interest to the fullest extent possible."⁵⁷ In the preamble of the Convention, though, it states that "despite...various instruments extensive discrimination against women continues to exist" and that it is the goal of the state "to adopt the measures required for the elimination of such discrimination in all its forms and manifestations."⁵⁸ Therefore, article 28 (2) of the Convention states that "a reservation incompatible with the object and purpose of the present Convention shall not be permitted."⁵⁹ In addition, article 2 of the Convention points out that states parties are "to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women."⁶⁰

Article 28 (2), however, has done little to combat the number of reservations. The reservations stall implementation procedures of the Convention and interfere with the ultimate goal of the Convention. Too often, States Parties use their reservations as a means to violate the Convention or to ignore its contents in a court of law.

Many of the reservations are based on religious codes and law. The Government of the People's Republic of Bangladesh announced that they were not bound to article 2 of the Convention because it conflicted with the Sharia Law, an Islamic religious code. However, they did not state how or why this article conflicted with the code. Bangladesh simply stated that the article stripped them of their cultural identity and imposed Western cultural ideals on their society. Egypt said they were willing to comply with the article as long as it did not interfere with the Islamic Sharia Law. Libya and Tunisia also filed similar complaints in regard to this article.

The Islamic countries were not the only States Parties to submit reservations concerning article 2. New Zealand stated that the Cook Islands were unable to apply article 2 or 5 (a). The Cook Islands explained that the elimination of social and cultural patterns that are detrimental to women "to the extent that the customs governing the inheritance of certain Cook Islands chiefly titles may be inconsistent."⁶¹ In addition to the Cook Islands, Canada filed a reservation to article 5 (2) of the Convention. In the Lovelace case before the Human Rights Committee, this reservation was challenged. Sandra Lovelace, a Canadian Malisset Indian, lost her status and residence rights upon marrying a non-Indian. Under Native Canadian law, however, a Indian man who marries a non-Indian will not lose his status. Lovelace claimed that she was denied "the right, in community with the other members of their group, to enjoy their own culture."⁶² This Native Canadian law should be eliminated under article 5 and her right to culture should be guaranteed by article 27 of the Convention. The Human Rights Committee judged that "there

had been a violation of Mrs. Lovelace's protected rights to cultural identity and experience, and that any restrictions on an individual's enjoyment of his or her culture "must have both a reasonable and objective justification."⁶³ Therefore, reservations based on cultural values and practices must not conflict with the overall purpose of the Convention.

Article 9, concerning the rights of nationality, has also generated several reservations to the Convention. The Republic of Korea, Iraq and Tunisia do not consider themselves bound to article 9. These three States Parties believe that "family solidarity and cohesiveness is served by the family having the same nationality, which should be that of the leader, who traditionally is the male."⁶⁴ In addition, Egypt made a reservation to article 9 (2) which deals with the nationality of children. In Egypt, a child takes its father's nationality "in order to prevent a child's acquisition of two nationalities, since this may be prejudiced to his future."⁶⁵

The issue of equality before the law, handled in article 15, has also been an issue. Thailand stated that it was not bound by article 15 (3) and Turkey filed reservations to paragraphs 2 and 4.

Finally, the concept of equal rights in marriage, outlined in article 16, has posed many problems. Brazil, the Republic of Korea, and Bangladesh are not bound by this article. Egypt, however, has issued the largest number of reservations concerning this article. They stated that the article conflicts with Sharia Law. The Islamic Sharia Law "restricts the wife's rights to divorce by making it contingent on a judge's ruling, whereas no such restriction is laid down in the case with the husband."⁶⁶ This reservation is clearly incompatible with the goal of article 16 to "eliminate discrimination against women in all matters relating to marriage and family relations."⁶⁷

In dealing with the problem of reservations, CEDAW asks questions about the reservations and encourages States Parties to domesticate the treaty and move toward withdrawing their reservations. CEDAW, however, has limited investigative powers in pursuing problems with reservations. In addition, when CEDAW actually requested additional information, the idea was rejected by the Human Rights Committee and the General Assembly. In 1987, the Committee requested that the UN and the specialized agencies "promote or undertake studies on the status of women under Islamic laws and customs and in particular on the status and equality of women in the family on issues such as marriage, divorce, custody and property rights and their participation in public life of the society."⁶⁸ Several Islamic states accused CEDAW of being "ignorant and hostile to Islam."⁶⁹ As a result, the General Assembly denied the request.

A complete list of reservations to the Convention is in Appendix C.

Legal Applications

The Convention has been sighted in court as an international legal measure. Out of four international legal cases, two individuals won and two individuals lost.

In *Lindsay vs. the United Kingdom*, Lindsay stated that "by taxing married couples as a single taxable unit, bore unfavorably on married women as opposed to married men with regard to taxation of investment income."⁷⁰ In addition, she added that "the investment tax structure perpetuated 'prejudices and...practices which are based on the idea of inferiority or on the stereotyped roles of men and women.'"⁷¹ To back up her argument, Lindsay stated that the British tax structure violated article 5 of the Convention, signed by the United Kingdom in 1981, which calls for the elimination of social and cultural patterns of conduct. Lindsay lost the case and the system of taxation prevails in the United Kingdom.

In *Attorney-General of Canada vs. Stuart*, the Canadian Federal Court of Appeal denied the application of article 11 of the Convention. Bernadette Stuart filed an application under Canada's Unemployment Insurance Act for benefits needed for a hospitalized illness resulting in her inability to work. Under the Insurance Act, individuals are entitled to receive regular unemployment insurance benefits. At the time of Stuart's hospitalization, however, she was pregnant. According to the Insurance Act, women are not entitled to maternity benefits. Therefore, Stuart did not receive any benefits that were rightfully hers to obtain. Stewart stated that "to deny a pregnant person...access to sickness benefits for a non-pregnancy related illness on the ground that she is at a certain stage of pregnancy is contrary to the impact of Canada's international obligations" as a signatory to the Convention.⁷² The court, however, stated that "the Convention cannot be used by this court in construing and interpreting sections of the Unemployment Insurance Act of 1971."⁷³

In Tanzania, the domestication of the Convention aided a woman in the case of *Ephrahim vs. Pastory*. The respondent, a native Tanzanian woman, inherited a plot of clan land from her father by a valid will and sold it to a non-clan member. As a result, another member of her clan wanted to void the sale under a Haya customary law that limited women's rights to inherit, own, and sell clan land. The High Court of Tanzania cited the Women's Convention and the African Charter in determining that Tanzanian law provided women protection against discrimination. Therefore, the court decided that under the Convention, the Haya customary laws were modified to provide men and women equal rights with regards to land ownership.

Finally, in the case of *Unity Dowe vs. the Republic of Botswana*, Unity Dowe challenged the constitutionality of Botswana's nationality laws with regards to

women's rights. In court, the Convention was once again cited. Unity Dowe won and the nationality laws that discriminated against women were modified or eliminated.

Resources

In order to address the country reports and the reservations, CEDAW needs an ample amount of time for sessions and meetings. CEDAW, however, lacks meeting time and resources to carry out its basic functions.

CEDAW meets for less time than any other major treaty body, including CERD whose responsibilities are similar to CEDAW's. Under article 20 of the Convention, the committee is allocated a period of time no longer than two weeks in order to review reports. This period of time is insufficient for the responsibilities held by CEDAW. CEDAW spends an average of six hours on initial reports and three hours on secondary reports. The Human Rights Committee, however, is able to spend 12 hours on each report. This lack of time is "a reflection of the priority assigned to women's human rights."⁷⁴

In addition, CEDAW has one of the lowest budgets. CEDAW is considered the "poor cousin of the human rights treaty bodies."⁷⁵ The Human Rights Committee and the Economic, Social, and Cultural Rights Committee, two committees with similar finances to CEDAW, draw their expenses out of the UN budget. CEDAW must depend on a low level of secretariat support. At the present time, CEDAW is allocated \$64,400 for travel expenses for 23 members, \$148,800 for meeting service costs, \$3,600 for OGS requirements, and \$2,000 for general operating experiences.⁷⁶ These amounts are based on a 10-day meeting period. Therefore, if CEDAW needs and requests additional session time, more money is needed. These requests are often denied.

Geographic Location

The Committee on the Elimination of All Forms of Discrimination Against Women is located in Vienna, Austria. The main human rights bodies are located in Geneva, Switzerland, though. This difference in location breaks the link of communication between CEDAW and other human rights committees. In addition, the situation limits the level of advice from human rights specialists to CEDAW.

CEDAW also holds its meetings in alternating cities. Regular sessions are held in New York and in Vienna. Although it is easier for many countries, especially the developing countries, to meet in New York, there is greater secretariat support in Vienna and the cost of the meetings is lower. In addition, the meetings in New York separate CEDAW from the activities of other human rights treaty bodies.

Focus: Violence Against Women

Gender-based violence is the most current issue CEDAW has tackled. It is defined as "physical, sexual or psychological abuse of women" and ranges from verbal harassment to murder.⁷⁷ Gender-violence "threatens the general well-being of society by leaving half of society's population in physical pain or injury or mental anguish."⁷⁸ In addition, instances of violence against women can affect the entire economy of a nation. The costs of intervention prevention are high and the economic participation of women in the development of their country decreases.

Until recently, gender-based violence has been "treated as a private or culturally-based practice outside the scope of human rights standards."⁷⁹ In 1991, the International League for Human Rights along with the International Women's Rights Action Watch (IWRAP), which is an international group of activists, UN human rights experts, international law scholars, and, government officials, held a conference on violence against women. The three main goals of the conference were to: 1) "expose patterns of violence against women;" 2) "clarify the international legal framework applicable to violence against women;" and 3) "promote effective government measures to combat such violence."⁸⁰ The two key initiatives were the adoption of a general recommendation on violence against women to the Women's Convention and the preparation of a draft declaration on violence against women.

Following the 1991 conference, CEDAW held its own meeting in 1992. An agreement was made that states should include information on violence and how to deal with it in the country reports. In addition, CEDAW added general recommendation 19 which states that "violence against women is a form of discrimination against women within the meaning of article 1 of the Convention."⁸¹ It continues by adding that "this definition of discrimination includes gender-based violence—that, is violence which is directed against a woman because she is a woman or which affects women disproportionately. It includes acts which inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty."⁸²

Gender-based Violence and Other Human Rights Documents

Several human rights documents contain provisions on the issue of violence against women. Violence based on gender violates the right to equality under international law. It impairs "women's enjoyment of a wide range of civil, political, economic, social, and cultural rights protected by international and national law."⁸³

The Universal Declaration of Human Rights, the International Covenant on

Civil and Political Rights (ICCPR), and the UN Convention Against Torture prohibit all acts of torture. The UN Standard Minimum Rules for the Treatment of Prisoners states the need for equal health services and recognizes the special needs of pregnant women. The Universal Declaration of Human Rights and the ICCPR prohibit the act of arbitrary detention, require governments to apply rights without any discrimination based on sex, and demand fair and public trials for women. Finally, the Geneva Conventions and Protocols I and II prohibit "violence, to life and person" in the time of armed conflict. In addition, the Geneva Convention and Protocol I protect against rape, forced prostitution, and forms of sexual assault.

Gender-based Violence and the Convention

In the Convention, the issue of violence against women is not expressly defined. However, the problem "impairs or nullifies the enjoyment of human rights by women"⁸⁴ and it deprives women of their "fundamental rights and freedoms."⁸⁵ In addition, article 2 of the Convention states that States Parties are "to establish legal protection of the rights of women on an equal basis with men, and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination."⁸⁶ Article 3 also declares that States Parties will "ensure the full development and advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men."⁸⁷ Therefore, States Parties are obliged under the Convention to deal with the issue of violence against women.

CEDAW's Ability to Monitor Violence Against Women

CEDAW has one mechanism for monitoring gender-based violence: the country reports. CEDAW often poses questions to States Parties concerning cases of violence against women and measures to deal with these cases. In criticizing, acts of violence against women, CEDAW usually refers to articles 2, 2(f), 3, 4, 5, 6, 11, 12, and 16.

Articles 2, 3, and 4 define the measures to be taken to combat acts of discrimination against women. They state that the following information should be included in reports: 1) "legislation to protect women against all kinds of violence;" 2) "preventative measures;" and 3) "support services for women who are victims of violence."⁸⁸

Articles 2(f) and 5, deal with combating cultural values and practices which discriminate against women. CEDAW cites these two articles when criticizing practices such as forced marriage, dowry deaths, and circumcision. All of these

customs are based "on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women."⁸⁹

Instances of violence are often linked to patterns of involuntary prostitution and trafficking of women. When instances of these problems are included in country reports, CEDAW refers to the statements in article 6 of the Convention, prohibiting both types of acts.

Although article 11, which focuses on discrimination and equality in the workplace, does not directly refer to the problem of sexual harassment, CEDAW recommends that States Parties include information on this issue in their reports. For example, in a recent country report, Australia stated that "national legislation outlawing sexual harassment as a form of discrimination against women has been upheld by the Court as a valid implementation of the Convention."⁹⁰

Finally, articles 12 and 16 deal with equal access to health care and the elimination of discrimination in marriage and family. Therefore, article 12 should protect women from traditional practices affecting their health such as circumcision and mutilation, and article 16 should protect women from family violence.

Rape

Rape is often used as a means of torture and control. In some countries, government officials use rape as a common method of interrogation to intimidate women into confessing bits of information. Accompanying the act of rape, additional threats are often stated. These threats often inhibit women from reporting their cases.

In El Salvador, Maria Juana Medina was arrested for protesting against the detention of trade unionists. She stated that she and other women were "marked with numbers on their foreheads," "summoned individually for interrogation," and then raped.⁹¹

In the late 1980s, there were nearly 1,000 cases of alleged rapes by police in India. In addition, Ana Cihorean was raped and killed by police for expressing her desire to leave Romania in December of 1989.

Rape is also used in Pakistan to intimidate and punish activists. More than 70 percent of women in police custody are raped. In addition, women who allege rape are often accused of adultery by the courts. The penal code requires that four male Muslims witness the act of penetration to prove a maximum rape charge. Rarely can a Pakistani woman find four male witnesses. As a result, the court labels her as an adulteress.

Finally, in Nigeria, under section 282 of the penal code, "sexual intercourse by a man with his own wife is not rape if she has attained to puberty."⁹² As a result of this code, most cases of rape go undeclared.

Sexual Harassment

Sexual Harassment is defined by the Australian Equal Opportunities in Public Employment Guidelines as "any unwanted and unreturned sexual conduct including unwanted physical contact, verbal comments, abuse or gestures."⁹³ Article 11 of the Convention, provides for equality in the workplace, but most cases of sexual harassment go unreported. Instead sexual harassment creates "a world of silence and fear" which threatens a woman's ability to participate and enjoy her rights to employment.⁹⁴

Domestic Violence

Article 16 of the Convention deals with the elimination of discrimination in marriage and in the family. Domestic violence, "mentally or physically abusive behavior between members of a family," still occurs, though, and is often allowed under the national laws of a country.⁹⁵

For example, in Nigeria, section 55 of the Penal Code states that "nothing is an offense which does not amount to the infliction of grievous hurt upon any person and which is done by a husband for the purpose of correcting his wife, such husband and wife being subject to any native law or custom in which such correction is recognized as lawful."⁹⁶ In addition, under customary law men are allowed to beat their wives as a correctional measure. This practice is also permitted under Islamic law.

Violence from the Military

Under article 76 of Protocol I of the 1949 Convention, women "shall be protected in particular against rape, forced prostitution, and any other form of indecent assault."⁹⁷ However, during periods of armed conflict, the military is often guilty of committing acts of violence against women.

After the August 1990 Iraqi invasion of Kuwait, Iraqi soldiers fired on a group of 35 women and raped hundreds of Kuwaiti women. In Myanmar, soldiers often rape women. One particular case involved an eleven year old girl who simply disobeyed a single regulation.

Members of the security force repeatedly commit rapes in Peru. In June of 1988, troops invaded Santa Ana of Ayacucho, placed the women in a church and raped them. The government stated that this type of behavior should be expected from military men.

Finally, in Somalia, women and children who were trying to escape the fighting in the North were detained and killed by the military.

Cruel and Degrading Punishment

The UN Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the UN Convention Against Torture prohibit any form of cruel or degrading punishment.

However, in Iran the Islamic Penal Code calls for the punishment of death for convictions of adultery. In 1989, 24 women out of 40 people were stoned to death for offenses of adultery and prostitution.

The Hudood Ordinances of Pakistan also permit forms of cruel and degrading punishment. Extramarital sexual intercourse (*zina*) is punishable with a public lashing or death. Safia Bibi, a blind Pakistani woman, accused her landlord of raping her in 1983. She was unable to identify him because of her sight condition. As a result, the court let the landlord go and convicted her of *zina*. She was publicly flogged and imprisoned.

Unfair Legal Proceedings

Article 10 of the Universal Declaration of Human Rights states that "everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal."⁹⁸ In addition, the International Covenant on Civil and Political Rights and article 15 of the Women's Convention guarantee a fair trial for women. Throughout the world, though, women are denied equal rights before the law.

In Iran, three women were arrested in 1983 for membership of a political organization known as the Tudeh Party. However, they were not brought to trial until 1986. At this time, they were not given any legal representation or right of appeal. In addition, many female prisoners in Iran are executed without being tried.

CEDAW's Problems with Monitoring Gender-Based Violence

CEDAW has had several problems with monitoring instances of gender-based violence. In 1991, the Commission on the Status of Women decided to draft an international instrument to address the issue of violence against women. The Commission, however, did not inform CEDAW of this decision and did not ask whether or not the committee could deal with handling another issue. As a result of the lack of communication between the two groups, the problem has been more difficult to monitor and combat.

Proposals

Although another reporting procedure for cases of gender-based violence would be counterproductive, CEDAW needs to adopt an Optional Protocol to deal with individual complaints. The procedure would not be limited to the issue of vio-

lence against women, but it would expand CEDAW's abilities to deal with this problem. Along with the Optional Protocol, CEDAW needs a "thematic rapporteur" to deal specifically with gender-specific violence.⁹⁹

Finally, CEDAW needs to draft an article similar to article 19 of the UN Convention on the Rights of the Child. This article "requires States Parties to take legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence."¹⁰⁰

Conclusions: Women's Rights Are Not Regarded As Human Rights

"The risk factor is being female, victims are chosen because of their gender."¹⁰¹ Sex discrimination kills women every day. Most countries neglect the issue because they regard it as a trivial part of their society. As a result, the abuse of women is considered "a cultural, private, or individual issue and not a political matter requiring state action."¹⁰²

The Convention on the Elimination of All Forms of Discrimination Against Women and CEDAW, though, do provide the means to combat the problem of discrimination against women. However, steps must be taken to increase the budget and to expand the time of the sessions for CEDAW. The committee can not review all of the country reports and address many of its other issues without these increases in time and investment.

In addition, a stronger link between CEDAW, the Commission on the Status of Women (CSW), and other specialized agencies is needed. CEDAW should be able to give input on the policy-making done by CSW. The nongovernmental organizations should also be involved in the reporting procedures of CEDAW. Their wealth of information could be used in the preliminary preparation and review of the reports.

CEDAW also needs to adopt an Optional Protocol to the Convention. The act of due process is literally impossible with the current status of the Convention. CEDAW does not have the mechanism or power to address any individual complaints.

Finally, CEDAW should be allocated more power in punishing violators to the Convention. With the cooperation of other specialized agencies and nongovernmental organizations, CEDAW will be taken seriously. It will be able to make resolute and far-reaching decisions toward the elimination of discrimination against women.

As law professor Rebecca Cook said, "If international human rights are to be taken seriously as a necessary part of the international legal order, the rights of half of humanity have to be respected and much more vigorously protected."¹⁰³



Appendix A

State Parties ¹⁰⁴

Ratified or Acceded to the Convention

Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia, Brazil, Bulgaria, Burkina Faso, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa, Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, France, Gabon, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Greece, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Mali, Mauritius, Mexico, Mongolia, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Sierra Leone, Spain, Sri Lanka, St. Kitts and Nevis, St. Lucia, St. Vincent, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Vietnam, Yugoslavia, Zaire and Zambia.

Signed But Not Ratified

Afghanistan, Benin, Cambodia, Cameroon, Cote D'Ivoire, Gambia, Grenada, India, Israel, Jordan, Netherlands, Sierra Leone and United States of America.

Appendix B

Nongovernmental Organizations

AMNESTY INTERNATIONAL

- deals with all areas of women's rights
- recent report on human rights violations to women, Women In the Front-line

INTERNATIONAL ALLIANCE FOR WOMEN

- organizes seminars and exhibitions to educate women on the Convention
- concentrates on collecting data on the women of Africa

INTERNATIONAL CENTER FOR WOMEN'S GLOBAL LEADERSHIP

- develops women's perspectives in international policy deliberations
- increases participation and influence of women leaders

- recent work on human rights violations of Bosnian women (developed an 8 point CALL TO ACTION focusing on war crimes against women)

INTERNATIONAL COOPERATIVE ALLIANCE

- founded in 1963
- works on developing equal rights for women in developing countries

INTERNATIONAL COUNCIL OF JEWISH WOMEN

- consists of 22 affiliates throughout the world
- sets up training and educational programs for women

INTERNATIONAL COUNCIL OF WOMEN

- established international and national councils
- works with UNESCO, UNICEF, and CEDAW on the advancement of women
- initiates studies and committees to deal with equal rights problems in specific regions

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN

- organized 51 national associations
- studies abroad for new methods of promoting women's equality
- works with UNESCO to develop international seminars on the Convention
- studies problems dealing with educational, social, political, legal, and economical equality for women

INTERNATIONAL LEAGUE FOR HUMAN RIGHTS

- founded in 1942
- an advocacy organization which has consultative status with the UN
- recently completed two reports on "Combating Violence Against Women" and "Human Rights Abuses Against Women: A Worldwide Survey"

INTERNATIONAL WOMEN'S ACTION WATCH

- founded by Professor Rebecca Cook
- director, Arvan Fraser
- monitors CEDAW's activities

Appendix C

Reservations¹⁰⁵

| <u>Article Reserved</u> | <u>State</u> |
|-------------------------|----------------------------|
| 1 | United Kingdom |
| 2(f) | Bangladesh |
| | Egypt |
| | New Zealand (Cook Islands) |
| | Iraq |
| | United Kingdom |
| 2(g) | Iraq |
| | United Kingdom |
| 5(a) | New Zealand (Cook Islands) |
| 5(b) | France |
| 7 | Belgium |
| | Luxembourg |
| | Thailand |
| | Spain |
| | United Kingdom |
| | Austria |
| | FRG |
| 9 | Republic of Korea |
| | United Kingdom |
| 9(1) | Iraq |
| | Turkey |
| 9(2) | Cyprus |
| | Egypt |
| | Iraq |
| | Jamaica |
| | Thailand |
| 10 | Thailand |
| 10(c) | United Kingdom |
| 11 | Austria |
| 11(1)(b) | United Kingdom |
| | Mauritius |
| | Thailand |
| 11(1)(d) | Canada |
| | Mauritius |
| 11(2) | United Kingdom |

Article ReservedState

| | |
|----------|-------------------|
| 11(2)(b) | Australia |
| 13 | United Kingdom |
| 13(a) | Bangladesh |
| 13(b) | Ireland |
| 13(c) | Ireland |
| 14(2)(c) | France |
| 14(2)(h) | France |
| 15 | United Kingdom |
| 15(2) | Belgium |
| | France |
| | Turkey |
| 15(3) | Belgium |
| | France |
| | Ireland |
| | Thailand |
| 15(4) | Brazil |
| | Tunisia |
| | Turkey |
| 16 | Egypt |
| | Iraq |
| | Thailand |
| 16(1) | United Kingdom |
| 16(1)(a) | Brazil |
| 16(1)(c) | Bangladesh |
| | Brazil |
| | France |
| | Republic of Korea |
| | Tunisia |
| | Turkey |
| 16(1)(d) | Ireland |
| | Republic of Korea |
| | Tunisia |
| | Turkey |
| 16(1)(e) | Bangladesh |
| 16(1)(f) | Bangladesh |
| | Ireland |
| | Republic of Korea |
| | Tunisia |
| | Turkey |

Article Reserved

16(1)(g)

State

Brazil

France

Luxembourg

Mauritius

Republic of Korea

Tunisia

Turkey

16(1)(h)

Brazil

Tunisia



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Kosovo's Martyr

by Juliet Stein

Yugoslavia is a crossroads. It is divided by ancient feuds and a long history of political, economic, linguistic and religious differences marked by the ancient Theodosian line that divides Western (Catholic and Protestant) culture from Eastern (Orthodox and Ottoman) culture. For some, this division symbolizes the last stalwarts of civilization against the further encroachment of the savage and clan-like Muslim peoples. This symbolism is especially important for the Serbs.

For hundreds of years, the Serbian people have viewed themselves as the last bastion of strength against the enslavement of all of Europe under the yoke of Islam. For Serbs, the strength of their cultural heritage, as witnessed by the advancement of the Serbian people during the Middle Ages; the Serbian capital, Belgrade, whose name ranges back 1112 years and is one of the oldest cities in the world; and the medieval Serbian Empire's codes of law all confirmed that Serbian "education, architecture, art and culture were at the level of the Eastern Roman Empire" (SLQ, 71). However, when in 1389, at the Battle of Kosovopolje, the Serbian Army was overpowered by the advancing forces of the Ottoman Empire, a dark age descended upon the Serbian people and all of Europe. As a result of the Turkish victory, the medieval Serbian Empire was fragmented and the Turks subsequently advanced all the way to Vienna. For the Serbian people, the loss they suffered at the Battle of Kosovopolje has become deeply symbolic. It has meant the Serbs' expulsion from their homeland, Kosovo and Metohija, and a policy of 600 years of their attempted annihilation by the Muslims. The consequences of their defeat, whether real or imagined, have prompted the Serbs of the former Yugoslavia to battle for control of the Kosovo region at all costs. They have come to view themselves as victims and their ultimate victory for possession of Kosovo as a victory for all civilized nations. Their mentality and their national identity have been molded by this centuries-old struggle, a struggle which, in part, justifies for the Serbian people the brutality of their own leader.

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Kosovo's population today consists of 90 percent ethnic Albanians while the remaining 10 percent is comprised mostly of Serbs and Montenegrins. In order to understand the Serbians' fury over what they see as the extreme measures taken by the ethnic Albanians to secure Kosovo for themselves, the make-up of the current population should be compared with the census statistics from the year 1948. After World War II, the population of Kosovo consisted of 60 percent Serbs and Montenegrins while Albanians accounted for only 24 percent. Within the last two decades alone, over 250,000 Serbs have fled Kosovo while 160,000 ethnic Albanians have moved into the region. It is the Serbian peoples' belief that this mass immigration by Albanians into Kosovo is the result, first, of a highly organized plot on the part of the Albanian people to renew the ancient Muslim-Serbian feud in order to secede and regain control of these historically and culturally critical Serbian lands and, second, of the past unwillingness of Tito's regime to protect the rights of Kosovo's Serb minority in the interest of weakening Serbian political dominance within the former Yugoslavia.

According to the Serbian nation, the first weapon of the Albanian peoples is their high birth rate. "It is well-known from the age-long history of the Serbian-Albanian relations that the wild aggressive frenzy of Albanian nationalism and separatism regularly occurs when the demographic equilibrium is disturbed" (SLQ, 21). The Serbs accuse the Albanian population of deliberately adopting fascist tactics in order to rid Kosovo of its Serbian population. According to the Serbs, the Albanians understand the Nazi geopolitical theory that the best way to conquer a nation is by controlling its living space through human force. "Thus they adopted an inhuman and immoral act: They developed a hitherto unseen and unheard of propaganda for the maximum fertility of their poor and miserable women" (SLQ, 75). It is not only the Albanians, however, who are guilty of trying to control Kosovo through a policy of demographic engineering. The Serbs, too, have employed the same tactics. Almost 10 years after the first Balkan War in 1912, when the newly independent Serbian state reconquered Kosovo from the Turks, the Serbian-dominated government of the new Kingdom of Serbs, Croats and Slovenes set out to Serbanise Kosovo. "By 1940, approximately 18,000 Slav families had been settled in Kosovo on land vacated by the thousands of Albanians who fled to Turkey to escape often brutal treatment from the local gendarmerie" (Vickers, 6). The idea that the Albanian birth rate is being employed as a means of organized political terror is simply implausible. The Albanian birth rate, which averages a net growth of 2.5 percent each year is among the highest in the world, but traditionally this growth has been offset by a very high rate of mortality. Medical progress under the Yugoslav state, however, has ensured a decline in the mortality rate and resulted in two very different growth rates for the Albanian and Serbian

populations of Kosovo.

The Serbians, additionally, charge that this abnormally high birth rate allows Albanians to discriminate against Serbs in a manner which forces them to move north. While the minority Serb population undoubtedly has experienced violence at the hands of the Albanian majority, discrimination against Serbs should not and can not be compared with the condition of Albanian life under martial-law rule. Life for the Serbian population was probably most difficult after 1974 when virtual republic status was granted to Kosovo. During this time, control of the area's court systems and police was passed to the Albanian majority, leading to Serbian complaints of intimidation and physical mistreatment by local Albanians at the whim of the authorities. In 1981, one year after Tito's death, Albanian nationalists in Kosovo went on a spree of anti-Serb violence. Mass protests by ethnic Albanians, demanding that Kosovo be granted republican status within Yugoslavia, erupted. Following these demonstrations, the Serbian population in Kosovo shrank another three percent to only 10 percent of the province's overall population.

To contend that the exodus of Serbs from Kosovo is entirely a result of Albanian violence, however, is unreasonable. Kosovo is the most economically underdeveloped region of the former Yugoslavia, and both Serbs and Albanians have ventured north and to Europe in order to seek greater financial security. In 1985, unemployment in the province was 3.3 times higher than the national Yugoslav average. It was not until the 1960's, when the Kosovo economy began to weaken, that the communist regime of Yugoslavia began injecting capital into Kosovo's economy to try to develop the backward region. Up until this time, there was no Serb or Montenegrin exodus from the region, proof that economic hardships must have proved a strong impetus for migration. For Serbs the possibility of moving to Serbia proper for employment was twice as tempting. For ethnic Albanians, however, it is not hard to imagine that the appeal of moving north might seriously be diminished by their social status and their loss of security in numbers.

Court records between the years 1981 and 1988 show that only fourteen cases of rape by Albanians against Serbian women were reported. Of these cases, nationalist motives were found for only two. "Ask any Serb in Kosovo and he recounts a litany of injustices committed by his Albanian neighbors. The Albanians kill our pigs. They smash our windows with stones. They rape our women. Everybody knows the stories. But ask, 'Have you had any problems yourself?' and the answer, almost invariably, is no" (*Economist*, November 12, 1988). While the figures may be correct, it is the exaggerated stories of Albanian violence which compound paranoia within the Serb community. At the Gracanica convent, Sister Tatjana "recounts with mounting hysteria [to each visitor] how an Albanian policeman squeezed her hand and tried to pull her into an embrace. She calls it rape"

(*Economist*, November 12, 1988). In one case reported by the International Helsinki Federation, Serbian Orthodox Church officials told of Serbian peasants whose houses were destroyed during the night, and then soon thereafter were offered money by ethnic Albanians to sell their land and leave. Such cases were often poorly investigated by the local Kosovo authorities, and thus even the Serb minority often fell victim to their own government's policy of promoting hatred among nationalities.

When compared with the injustices suffered by the Albanian population at the hands of the federal authorities, however, the Serb complaints hardly seem significant. In 1988, Serbia's president Slobodan Milosevic began a campaign to amend the Yugoslav constitution so as to completely strip the region of Kosovo of its authority and bring it under Serbian control. The Serbian Communist Party organized mass demonstrations in Belgrade, calling for the passage of the amendment. At the time, these demonstrations were touted as evidence of Serbia's democratization, but in truth, they were often nothing more than forums for the official nurturance of ethnic hatred. Specifically, the constitutional changes demanded by the Serbian government would strip Kosovo's independence in the areas of police authority, justice, education, economy and languages. Most importantly, however, Kosovo would lose its right to veto future changes of the Serbian constitution. Under the Yugoslav constitution, any amendments must first be debated in open, public forums with the specific provision that no one can be punished for views they may express. In Kosovo, however, anti-ratification protests by the Albanian majority were met with violent Serbian reprisals.

Even at peaceful anti-ratification meetings in Kosovo, the Serbs were swift to respond. "Many ethnic Albanians were arrested either at such meetings or on suspicion of having been at such meetings, and accused of vague crimes, usually related to Criminal Code provisions concerning 'counter-revolutionary activity,' 'hostile propaganda' or 'inciting ethnic hatred'" (Helsinki Watch, 13). One of the most important protests against the ratification of the constitutional amendments was a November 1988 strike by ethnic Albanian miners. After defying repeated orders to return to work, the authorities eventually used riot police and federal troops to restore order. As the ratification process continued into the following year, Milosevic clearly stated in the Belgrade newspaper *Borba* that, despite the constitutional guarantee of open debate, anyone voicing an opinion contrary to

When compared with the injustices suffered by the Albanian population at the hands of the federal authorities...Serb complaints hardly seem significant.

that of the Serbian government would be arrested. Finally, in February of 1989, one month before the new constitutional changes were to go into effect, a state of martial law was declared in Kosovo.

The following month, when the new constitutional reforms went into practice, federal crackdowns began in earnest. Public protests turned into riots. Between March 27 and 29, 1989 police responded to crowds in Pristina, the capital of Kosovo, by opening fire with automatic weapons and killing at least 24. Several Albanian doctors who went to Pristina hospitals to care for the wounded "reported that they were threatened with loss of their jobs for having come to the hospitals" (Helsinki Watch, 15). Under Milosevic's leadership, the Serbian regime later introduced a new law on emergency measures on June 26, 1990, and suspended the Kosovo assembly entirely on July 5, 1990.

That same year, Serbian leaders purged Albanians from Pristina institutes of higher education, as well as from the medical profession. The faculty of medicine at the University of Pristina "was as good as closed to Albanian students...1,671 out of 1,926 Albanian medical students and 236 out of 459 dental students [lost] a year of study because their teachers [were] dismissed. They are unable or unwilling to continue their studies in Serbo-Croat because they are not fluent enough in the language and because they do not trust the Serbs" (*Lancet*, August 3, 1991). Before the beginning of the 1992 academic year, over 800 Pristina University professors, all of them Albanian, lost their jobs. Though Kosovo's Serbian education minister, Miodran Djuricic, claims that 500 Albanian students still study at Pristina University, sacked Albanian professors claim there are none. The new Serbian rector of the university put this same number at 1,500 students.

More recently, the Serbian government has initiated its own aggressive plan to try to repopulate Kosovo with Serbs. The Serbian government has "forbidden Serbs in Kosovo from selling their lands and moving out, and it has begun a policy of reviewing title in land sales to ethnic Albanians to determine if, in its view, the sales were legal and if not, expropriating the land to be given to Serbs" (Helsinki Watch, 16). Those Serbs currently residing in Serbia proper have been encouraged to move to Kosovo to look for employment through the planned firing of ethnic Albanians from their jobs and the establishment of quotas for Serbian students in the different school levels. Despite these measures, schools are still unable to fill the places allotted to the children of Serbian families, and the population of Kosovo still has a net migration of Serbs from the region.

The Albanians have responded to these draconian Serb measures with increased organization and unity. Following the dissolution of the Kosovo parliament, its former Albanian leaders gathered to write the Kacanicka Constitution. In September of 1991, Albanians overwhelmingly endorsed the constitution in a secret

referendum. Ibrahim Rugova, a former academician, helped unite 700,000 ethnic Albanians to form the Democratic Alliance under his leadership. Despite Serb efforts to prevent the election, in May of 1992, Kosovo Albanians again risked arrest to secretly choose a parliament and president. Serb police squads closed polling stations, detained election officials and described the voting as a farce. The schooling of Albanian children has also been continued outside of schools in private homes. Last year over 400,000 Albanian students boycotted classes, choosing to attend underground schools instead. The Albanian population is all too aware of the serious reprisals which their actions invite "and of the fate of the Croats and Bosnians. With sanctions against Serbia biting and disaffection spreading there, Milosevic could blitz Kosovo to provide a diversion. He has the hardware" (*Commonwealth*, July 17, 1992).

"Unfortunately, Serbs seem to enjoy—and enjoy is the word—bad relations with their neighbors, whether Croats, Slovenes, or Albanians...[even] moderate Serbs complain that [Milosevic] will lose Kosovo for Yugoslavia, [and] although they [do] not quite recommend wholesale massacre, they [are] in favor of mass deportations of the Albanian Kosovars" (*Spectator*, May 5, 1990). For the Serbian people, Kosovo has become more than only a thorn in their side, it is a national rallying cry which both unites the Serbs and remains burned in their psyche as a symbol of their own vulnerability. Gordan Milosavljevic, a 45-year-old Serbian lawyer interviewed by *The New York Times* easily summed up Kosovo's significance. "As always, Serbia is Europe's defensive wall, defending Europe against Islamic influence" (*The New York Times*, May 26, 1992). This policy is evident not only in Serbia's cruel practices in Kosovo, but in the war in Bosnia-Herzegovina as well.

Like any dictator, Milosevic relies upon fear as his strongest base of support. He has convinced the Serbian people that the Muslim population so close to their own borders poses a real threat and that the Serbs' best defense against these savages is unity. These feelings go against the policy of decentralization followed by Tito, policies which only served to exacerbate Serbian fears that Tito intended to weaken their influence within Yugoslavia as a whole, as well as within Kosovo. "As long as the Serbs perceive Kosovo not only as a symbol of their past medieval glories but also their present national decline, their leaders will be able to exploit the situation" (*History Today*, December 1991). Thus, if Milosevic shows any attempt "to compromise with the Albanians, then the Serb majority that put him in power and who now almost worship him, would destroy him" (*Spectator*, May 5, 1990).

One of the most effective ways for President Milosevic to strengthen Serbian nationalism, and thus his own position, is through cooperation with the Serbian

***In the crazy world of
Balkan politics,
truth often can not
be expected to follow
a logical path...but
the truth is that
Kosovo is predomi-
nantly Albanian
territory.***

Orthodox church. "After religion, and often as its surrogate, nationalism has proved to be most contagious among political formations in search of a national identity" (*East European Quarterly*, 170). In return for the support of the Serbian Orthodox Patriarch, Milosevic agreed in 1989 to fund the construction of a new theology building in Belgrade, restore the old Patriarchal church in Pec, and grant permission to finish construction of a Belgrade cathedral, touted as the world's largest Orthodox church. Meanwhile, Orthodox sermons in Belgrade explain to parishioners that "Christ's new covenant with mankind was in reality a 'Kosovo Covenant,' promising the spiritual and national revival of the Serbian people. The recovery of control over Kosovo by the Belgrade Party machine four months ago was compared [in Belgrade], in all sincerity, to the resurrection of Christ" (*Spectator*, July 8, 1989). In the West, where the resurgence of religion in the formerly communist nations of Eastern and Central Europe is often greeted with enthusiasm, there is a tendency to forget what a powerful weapon of nationalism the church can be. Serbians today in both Belgrade and Kosovo speak of waging a religious campaign against Islam in Kosovo, just as their ancestors did 600 years before them, but "this is humbug, coming from just those Serbian communists who have persecuted the Church in Kosovo more fiercely than the Sultans did in 600 years" (*Spectator*, May 20, 1989). In addition, those Serbs who urge national unity in the face of the Muslim onslaught have given no thought whatsoever to whether or not Kosovo Albanians actually support so-called Islamic fundamentalism. They forget that Kosovo, remarkable for its tolerance, is a place where both Catholic and Muslim Albanians alike are firmly opposed to Serb aggression and thus would have no practical purpose for strict Islamic fundamentalism. They fail also to explain how Albania, which has long since abolished religion and closed its mosques, could possibly be leading a jihad.

Why, in fact, would the ethnic Albanians of Kosovo have any interest at all in a political union with the formerly Stalinist Albania? In 1948, after Tito's split with Stalin in Cominform, a rift between Yugoslavia and Albania appeared as well. Tito's plan, which had originally intended that Albania would later be annexed by Yugoslavia and combined with Kosovo in order to form the nation's seventh republic, went unfulfilled. Immediately after World War II, Tito, not wanting to offend Serbia where he had only limited support, decided to delay this move for a few years. Unfortunately, Stalin's support after 1948 for the Albanian

regime made this move impossible. Articles began to appear in the Albanian press concerning the persecution of ethnic Albanians in Kosovo, thereby encouraging Belgrade's mistrust of all Albanians. A direct result of this breakdown in relations was that Tirana was accused by Belgrade of actively encouraging separatist movements among the Kosovars.

This claim, however, failed to take into account any feelings the Kosovars themselves might have had. The mostly Muslim Kosovars would not have relished Tirana's strict ban on religious worship, nor would they have been willing to give up their privately-owned homes and farms in favor of Albania's policy of collectivization. Kosovars understood too that life under Tirana's rule would be very different from life as part of a federation of south Slavs. As one ethnic Albanian summarized, "We all listen to Radio Tirana and we know what a mad, oppressive country that is. The only way we might merge with Albania would be if we invaded the place and liberated it" (*Spectator*, July 8, 1989).

Undoubtedly, there were some ethnic Albanians in the Kosovo region who truly did desire unification with Albania's existing regime, but any hopes Kosovars might have had that Tirana would come to their rescue were quickly dashed. Albania's real interest in making itself look like it would support the annexation of Kosovo was to provoke instability in Yugoslavia. Tirana fully understood that even the elevation of Kosovo to republic status would create problems for Albania. The idea that a Republic of Kosovo, where ethnic Albanians could control their own fate, would be right next door to Tirana's own Stalinist regime, was not appealing to Enver Hoxha, the Albanian leader. He understood that it was better to sustain any delusions Kosovars might have about Albanian unification rather than create a situation where two Albanian states might quickly become ideological rivals. Hoxha also feared that any integration of Yugoslavia's Albanian population into his own would slow or permanently cripple his dream of creating the Marxist-Leninist world center. In addition, any official indication that Tirana wanted to alter Yugoslav frontiers raised the possibility of discussion about the stability and justifications for its own frontiers. The final indication of Tirana's true feelings towards the Kosovars can be gathered by its non-participation at forums for the United Nations and the European Commission on Human Rights, where the status of Kosovo's ethnic Albanians is frequently discussed.

Despite all these truths, why then was Belgrade so convinced that Kosovo-Albanian unity was a real threat? The answer lies in the tactics adopted by the Kosovars to express their disaffection with Serbian rule. During Tito's regime, a cultural exchange was established between Albania and Kosovo universities in order to stimulate the formation of an educated Kosovar population. Books and equipment, as well as professors, were brought to Pristina from Albania. These

professors often tried to promote, within young Kosovars, the illusion that Albania was behind them, ready to come to their rescue should they attempt to secede from Yugoslavia. In turn, the ethnic Albanians of Kosovo fought bitterly for the right to display the Albanian Stalinist flag and chose to adopt the official Albanian dialect over their own Gheg vocabulary. Rather than distancing themselves from the Albanian regime, these actions made Kosovo's ethnic Albanians even more susceptible to charges of Stalinism. "That Albania is a Stalinist country and, as such, an ideological foe to anti-Stalinist Yugoslavia weighs less with them than their burning desire to be rid of Serbian rule" (EEQ, 173). What is important to Kosovars is not unification with Albania, but unification with their fellow Albanians. All other political or ideological loyalties are secondary.

In the past two years, however, Albania has threatened to become a real player in the ethnic war which may engulf all of the Balkan nations. Under Enver Hoxha's rule, union with Albania proper was not a real option, "but in 1991 Albania repudiated Communist rule, and last October it recognized the clandestine Kosovo government" (*Commonwealth*, July 17, 1992). Though Tirana is in no position economically or militarily to do more than offer vocal or printed support of the Kosovars' rights, talk in the Albanian capital of a union with Kosovo has been renewed. Amid rising Serb nationalism, unification with their Muslim brothers to the West or with Macedonia's restless Albanian population may soon be the only viable option for the Kosovo Albanians.

In the crazy world of Balkan politics, truth often can not be expected to follow a logical path. Serbians claim that they have a historical right to the region of Kosovo, but the truth is that Kosovo is predominantly Albanian territory and has been so for the past 300 years. The Serbs lost Kosovo in 1389 in a battle with Ottoman Turks and reconquered it only after the first Balkan War in 1912. Culturally, Kosovo is the heart of Serbia. It was a central part of the medieval Serbian empire and still contains the treasures of Serbian religious art in the churches of Pec, Decani and Gracanica. To believe that Kosovo is theirs on the basis of the fact that it was once part of the Serbian empire, however, is nonsense. If this were a justifiable reason for Serb aggression in Kosovo, then the Serbs should also claim western Bulgaria and northern Greece while relinquishing rights to the northern Serbian province of Vojvodina.

"The degree to which historical truth is being erased by national feeling is particularly alarming. One educated-looking Serbian pilgrim assured [a journalist] that the Battle of Kosovo had been fought against an invading army of Albanians" (*Spectator*, July 8, 1989). In fact, after the Serbs' defeat at Kosovo those Serbs who moved north were replaced by Albanians, most of whom only later converted from Catholicism or Orthodoxy to Islam as a result of Turkish offers of

land for their conversion. During World War II, both the Italian and Nazi occupations of Kosovo were welcomed by the Albanians as a better option than life under Serbian royalists. Today, "the Belgrade press frequently links the Albanians...with another invasion, Mussolini's creation of a 'Greater Albania' in 1941" (*Spectator*, July 8, 1989). Ironically, there is no mention of Belgrade's own cruel policies during the interwar years when as many as 200,000 Albanians were driven from their homes in Kosovo.

If Yugoslavia's civil war continues to rage on, the Serbs may soon be faced with the prospect of western intervention. Any NATO country which chooses to intervene militarily in the former Yugoslavia should not fail to consider what impact such an action might have upon Serb nationalism. If the Serbs are forced to accept a peace treaty for Bosnia-Herzegovina, which they feel victimizes them, it is not hard to imagine what impact this solution might have on Kosovo. The Serbs might easily provoke the Albanian Kosovars into taking action against Serbian troops through continued persecution of Albanians. But who is the real victim in Kosovo? Is it the Albanians who live under Serb dominance, or the Serbs themselves, too politically isolated to understand the futility of their own nationalist policies? The very possible outbreak of Serb-Albanian violence in Kosovo will almost certainly cause the Serbians to once again see themselves as the world's true victim.



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US Efforts to Promote Democracy in Taiwan (1977-84)

by Ali Reza

This paper discusses US efforts at fostering democracy in Taiwan during the administration of President Carter and the first term of President Reagan. I begin by defining democracy and discussing the problems of democratization. Moreover, I discuss why US national interests favor promoting democracy abroad, and I suggest the advantages and shortcomings of such foreign policy. As a preparatory note, I then discuss why a discussion of Taiwan's democratization is somewhat problematic. Next, I assess the current state of democracy in Taiwan and speculate about the near future. Finally, I focus on the policies of Presidents Carter and Reagan vis-a-vis Taiwan, and the goals they sought in implementing those policies. It is my thesis that, in the years from 1977 to 1984, the US cared much more about the security of Taiwan than about the level of democracy in Taiwan. The factors that contributed to this concern included US relations with the People's Republic of China (PRC) and the Soviet Union, and the relations between the PRC and the Republic of China (ROC). In the course of outlining Carter and Reagan's policies toward Taiwan, I will address each of these issues and analyze their relationships with the overall US desire to promote democracy abroad.¹

Definition of Democracy

Samuel Huntington defines democracy as a form of government whose "most powerful collective decision-makers are selected through fair, honest, and periodic elections in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote" and possesses real power thereafter.² The key aspects of this definition are mass participation and free contestation.

A more complete definition, however, requires elaboration on four components of a functioning democracy. First, mass participation in government, par-

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ticularly universal suffrage in periodic, fair elections, is essential. Secondly, those elections must be held to make up institutions that represent the government as thoroughly as they represent the governed. That those institutions have real governing power indicates that mass participation in politics and government is successful. Thirdly, there must be two or more political parties vying for places in the institutions. Civil liberties must be guaranteed such that there are no structural limitations on the free contestation between parties. Political parties must possess the freedom of assembly and the freedom of speech. Finally, the government and its institutions, need to be effective, yet must have limited power. A free press watches the government and reports injustices. Such informative publicity, sometimes negative publicity, may serve to keep governmental leaders in line. It may encourage them to pursue policies that the public will support.

If, in a democracy, a government leader pursues unpopular policy, he is likely to meet resistance from other sections of government. The separation of powers within a democratic governmental body prevents the ascent of leaders—or groups of leaders—seeking political power for personal gain. The army, for instance, must be an entity separate from the legislative and executive branches of the government (however they are conceived). Likewise, the legislative and executive bodies themselves must be linked, but separate. The differences in opinion and the debate that follows are what keep the state from dictating to the people. Conflicting factions are of the essence. How does a government, composed of conflicting factions, actually get anything done? Huntington says, “when in doubt, compromise.” When compromise is not chosen, institutional checks and balances should act to moderate policy; the checks and balances help distribute power among several sources, not just an elite core. The wide distribution of political power is a manifestation both of political modernization and of an increasing level of democracy.

In most countries around the world today, “democracy” is not a static quality, but rather a goal in a dynamic process of political development and modernization. There are, of course, problems along the way. Various political, economic and social factors within a country may hinder or preclude its full democratization. While a full discussion of the process of democratization is well outside the scope of this paper, suffice it to say that the process, if it is carried out poorly, can destroy a country’s social fabric, disrupt the country’s economic development, or undermine the state’s security and sovereignty. Taiwan is one such “country” where the latter is particularly true. Even if the process of democratization is successfully carried out, there can be serious problems, but US foreign policy has centered around promoting democracy abroad for several reasons. The most important consideration is the American belief that while democracy has its shortcom-

ings, it is still the best form of government known to the world.

Altruists of US foreign policy hold that the reason the US has vested interests in promoting democracy abroad is peace—this peace includes domestic stability within the target country, stable relations between the target country and the US, and stable relations between the target country and its neighbors.

The US has other significant political and economic reasons for pushing authoritarian regimes to democratize. The main economic one is tied to the main political one. More democracies means more market economies, and, therefore, more destinations for American exports. Huntington points out that democracies tend not to go to war against each other. If this observation can be taken as a plausible prediction, the logic follows that the US has obvious interests—security, free trade, better overall political relations in the regions—in reducing the number of authoritarian regimes with whom military conflict might arise. Additionally, the US has obvious interests in reducing the number of authoritarian regimes that might go to war against each other. The regions of the world dominated by democratic governments are also the regions of the world that see the least warfare. Greater regional stability would decrease the need for the US to act as the “policeman of the world” and increase the propensity for the uninterrupted flow of trade and the uninhibited exchange of both diplomatic, unofficial and cultural relations.

But democracy may not be the best system of government for every country with which the US exchanges diplomatic relations. In Islamic countries, for instance, the statist preference for unity over plurality renders unsuitable a system of government that relies on pluralist discourse and compromise as a means for governing. The respect for authority in Confucian cultures may negate the effect—or even hinder the process of—a free press criticizing the government.

In such countries, there are drawbacks to the US effort in promoting democracy. Huntington notes that some countries may never democratize. The US might only incur the wrath of the populace by pushing the government in that direction. Leaders in China, for instance, are tired of hearing the US promote human rights. The US has lost some ground in that issue, especially as China’s Asian neighbors support China’s claim that human rights in China is a Chinese domestic issue. The US push for democracy in Nicaragua, though ultimately successful, resulted in thousands of deaths of innocent civilians. The export-of-democracy policy can,

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thus, both sour US relations and result in large amounts of suffering from the political instability caused. It is a policy that cannot be implemented blindly in every part of the world. The US must assess the receptivity of a nation's culture and politics, and then make the call on whether or not to push for democracy.

While some countries may be extremely receptive, and some extremely unreceptive, some are difficult to determine. Taiwan is a one such case, and now I turn to a specific treatment of the prospects for democracy in Taiwan.

The Awkwardness of Discussing "Democracy in Taiwan"

When we look at US efforts to promote democracy in countries whose authoritarian regimes run counter to US liberal philosophy, we may feel that our presidents' efforts are noble. The US had high hopes for Iran, Nicaragua and South Africa, and it is sad that our efforts were only partially successful, that our influence was not as powerful as we had hoped. We learned, however, that democracy is one American export for which we might not find a market in every country. In some countries, the particular cultural background may preclude it. In others, there may be an unusual political or geostrategic situation that would impel the US to push less for democracy, and more for stability.

Taiwan's situation is a good example of an unusual political and strategic situation. A discussion of "democratizing" Taiwan is problematic. The reason for this difficulty is that the issue of democracy in Taiwan cannot be limited to the island without discussing mainland China. As the government of Taiwan claims to be the legitimate government of the entire mainland, some complications arise when we talk about achieving "democracy in Taiwan."

The Kuomintang (KMT), which has long held tight rule over the island, would probably point out that democracy, as one of Sun Yat-sen's Three Principles, cannot be introduced to the people of the country until that country first settles its national strife. Sun devised a three-phase plan by which to implement democratic rule. First, the country must be geographically and politically unified by force. Then, the military leaders could be schooled in Kuomintang doctrine, and only after such political tutelage, could the population at large be taught the ways of democratic self-government.

In other words, the KMT has Sun Yat-sen's step-by-step approach to justify a claim that since the entire country of China is not unified, the country is not ready for democracy. As the government of Taiwan officially considers itself representative of the entire Republic of China, a discussion of democracy in Taiwan should include a discussion of democracy on the mainland. Nevertheless, if we consider Taiwan an entity that functions as a country in its own right, we can discuss the

applicability of democracy, as long as we include an analysis of how Taiwan's special status affects the process of democratization.

Prospects for Democracy in Taiwan

Government Structure

The political structure for democracy in Taiwan already exists. Under the constitution of the Republic of China (henceforth Taiwan) adopted by Chiang Kai-shek and the Kuomintang (KMT) in 1947, the government is made up of several separate branches (Yuan) including the Legislative, Executive, Judiciary, and Control Yuan. The National Assembly consists of freely elected representatives from each province. The constitution allows for contest between multiple political parties, and does not designate a ruling party.

After the KMT defeat and retreat to Taiwan in 1949, however, Chiang Kai-shek declared martial law and suspended the rights guaranteed by the constitution. Until 1987, when President Chiang Ching-kuo lifted martial law, the KMT ruled Taiwan in a single-party, authoritarian state. Democratic processes were suspended in the interest of national security, and many democratic rights were declared illegal. The KMT controlled government at both the national level—all the provinces of mainland China and Taiwan—and at the local level in the provincial government of Taiwan Province. The press was censored, political dissent was prohibited, and other constitutional rights were suspended.

Free elections continued, with a wide portion of Taiwan's population given the vote, but all of the candidates for office were the older KMT Nationalists from the mainland. By the mid-1980s, Taiwan-born members of the KMT were showing up in higher positions in the government, but their commitment to the KMT party line was unswerving. Policy was, therefore, rarely deviant from conservative KMT objectives.

Given the perceived threat of imminent Communist invasion from the mainland, the most important policy objective was national security. The KMT suspended the constitution, declared martial law, and took control of every aspect of the country's existence. Political dissent was stifled and the power of the Taiwan provincial assembly was reduced to accommodate the policies of the KMT members in the National Assembly. For years, for instance, it was the undisputed policy of Taiwan to claim legitimate rule over all of China and to expect to eventually reconquer the mainland and rid China of the "Communist bandits." To make this goal a reality, the Nationalists needed to regroup and build national strength.

The authoritarian government carried out land reform, agricultural diversification, infrastructure development and other economic development policies in order to strengthen Taiwan's ability to thrive sans the extensive US military and

economic aid that kept the mainland from taking over the island during the Korean War. As the threat of invasion diminished, however, KMT policy softened and allowed more economic autonomy in various sectors. Political dissent was still smothered, but in 1987, under enormous domestic pressure from the heretofore outlawed opposition Democratic People's Party (DPP), President Chiang lifted the martial law encoded in "the Period of National Mobilization for Suppression of the Communist Rebellion." Associated restrictions, such as family visits to the mainland and freedom of assembly, were granted gradually—and grudgingly—as Taiwan's thriving business class gained more and more political clout and popular support. Currently, the political scene is wide open to competition and dissent from KMT policy. In the recent elections, DPP members and *tangwai* (nonparty opposition) have been winning more and more municipal and provincial seats.

The DPP's election victories are testimony to the increasing broad range of the population that can exercise influence over the government. Until the late 1980s, the conservative old guard from the mainland representing only 20 percent of the population thoroughly dominated the government. Now, Taiwanese are prominent in every branch of the municipal, provincial and national government.

Economic, Social & Cultural Characteristics

As Taiwan's constitution provides the legal structure for the process of further democratization, other factors of demographics, economics, culture and society also contribute to the process. Taiwan is blessed by a rather homogeneous populace. While there are two different ethnic subgroupings—mainlanders and Taiwanese—the line between the two is becoming increasingly blurred by intermarriage and increased social interaction. The local Fujien dialect is still as widely used by Taiwanese as the official Mandarin dialect, but Mandarin has been taught in the schools for decades and is now the common language of both Taiwanese and mainland descendants alike.

There is, however, some social discord. There is a considerable split between the "mainlanders" and the "Taiwanese." Mainlanders include the descendants of the two million people who fled to the island in 1949. The Taiwanese are the descendants of the eight million people whose families had been on the island for generations when the mainlanders arrived on the island. Today, the ratio is slightly different, with mainlanders making up about 15 percent of the total population of 20.8 million.

The main points of bitterness between the two groups involve discrimination and reverse discrimination in government and business. Top government positions have historically been denied to the Taiwanese. When the state controlled most areas of the economy (banks, construction companies, oil companies, etc.),

the more lucrative jobs in the public sector were reserved for mainlanders. Small-enterprise Taiwanese businesses controlled the private sector and responded by advancing, for the most part, only Taiwanese employees. In recent years, however, as the KMT has both diversified and liberalized the economy, these trends have begun to subside. Furthermore, many of those who consider themselves "Taiwanese" share the same cultural characteristics as those who fled to island in 1949. While some degree of rivalry still exists, the edge has been dulled by economic prosperity across the board.³

The only group whose ethnicity is radically different from the mainlanders and the Taiwanese is the aborigines, made up of nine tribes in the mountainous regions. Totalling 670,000 in population, their numbers are too small to pose any kind of threat to domestic stability. Moreover, the KMT has sought to include the aborigines in the political process. Active recruiting efforts have resulted in some 2000 aborigines serving in government branches at various levels—there are even two aborigines in the National Assembly, four in the Taiwan Provincial Assembly, and two in the Legislative Branch of the government. The aborigines' main complaint has been economic neglect in comparison to the agricultural areas located near coastal export processing zones where the KMT poured millions of dollars of US aid. The KMT took some of the bite out of the bark by helping to develop an aborigine tourist industry that brings substantial revenues to those regions.

Economic development overall may be the most promising sign for the prospects for democracy in Taiwan. The authoritarian policies in the first three decades of KMT rule over Taiwan had their place and served their purpose in helping to build an industrial nation with a solid agricultural base. By the end of the 1980s Taiwan had become a fully industrialized country, along with the other Asian NICs, including Singapore and South Korea. Taiwan's GNP in 1990 reached \$161.73 billion, up 7.6 percent from 1989, proving Taiwan's economic might. State controls of foreign exchange reserves in the mid-1980s resulted in Taiwan holding the largest share of foreign exchange reserves in the world. In 1990 the share dropped, but remained as high as \$69.3 billion. As business interests in the 1980s redefined the role of government intervention in the economy, the KMT was forced to make the radical revisions of policy that eventually led to the end of martial law.⁴

Taiwan's booming economy has sent repercussions through all socioeconomic strata. The business elite got richer, and that necessitated an expanded middle class, which in turn depended on greater agricultural output to support a growing urban population with a growing gross national product. Distribution of wealth is currently relatively even. The Gini coefficient, used to measure income distribution, dropped from 0.558 in 1953 (relatively high, indicating uneven distribution)

to 0.303 in 1980, rising slightly to 0.323 by the end of 1989. Unlike many Latin American countries, or even Asian neighbors such as the Philippines, the Taiwanese government has not catered to or submitted to corruption by any kind of small, powerful landowning elite. Large sections of the population are not excluded from the political process for reasons of poverty or illiteracy, so there is little inter-class hatred or rivalry.

Confucianism has contributed to the level of economic success thus far. There are two differing interpretations of how Confucianism has affected modernization. In China, the transformative interpretation of Confucianism has been applied to the CCP's insistence on strict egalitarianism. In the case of Taiwan, the accommodative interpretation is used to show how the necessary evil of some level of selfishness has resulted in a competitive, thriving economy. The Confucian ethic of cooperation and respect for authority, combined with strict KMT control of corruption, have fostered a social harmony that often disintegrates into rampant corruption or disparate distribution of wealth in other quickly-industrialized societies.

Assessment

Now I turn to the definition of democracy provided in the first few pages of this paper to assess Taiwan's level. First, there is mass participation—in the form of universal suffrage—in government. Second, the elected officials do hold real power in the various national and provincial representative bodies. The third issue concerning civil liberties is a bit tricky. Freedom of speech and political contestation are allowed in writing, absolute freedom is hindered by the ban on promoting either communist thought or Taiwan's independence from the mainland. Still, the KMT's DPP competition is recognized and legitimate. The gradual loosening of strict press controls is another indication of a trend of democratization. Finally, the government's power is limited in both writing and, since the repeal of martial law, in practice. Since 1987, civilians can no longer be tried in military court, and the military itself has been separated from its prominent place in politics. The KMT has thus allowed a wider distribution of power among the populace, and that bodes well for democracy.

The real point of political contention will not be a matter of increasing the range of representation in national politics; it will be a matter of *shrinking* the boundaries. Separatist supporters of a Republic of Taiwan have been clamoring for independence from the mainland for many years, despite repeated warnings from both Beijing and Taipei that there is only one China. Beijing has warned that any KMT move toward or declaration of independence would result in military action. Older KMT officials in Taipei have been unable to suppress calls for de-

mocracy independence, and it may only be a matter of time before natural causes of death wither the KMT's political resolve. The repeal of martial law in 1987 was the official beginning of a wave of democratization that could ruin the comfortable status quo that the businessmen and politically indifferent (concerning the PRC/ROC split) currently enjoy. In 1980, some scholars speculated that "the inevitable result of genuine democracy will be an end to one-party KMT rule and a move toward independence."⁵

In the absence of domestic pressure for renunciation, Taipei may get pressure from Beijing. Leaders in the PRC may, as they have in the past, exert pressure on the KMT to suppress the DPP's independence seekers. Such pressure may also be met by pressure from other foreign capitals, such as Tokyo or Washington, that would prefer to keep Taiwan at least functionally independent from the economic policy planners of the CCP. Hong Kong's imminent return in 1997 will be watched closely by conservative KMT oldies and young DPP pro-independence activists alike. Given the KMT's close relationship with Washington since pre-1949 years and the resulting alignment of foreign policy, the KMT may be receptive to US desires for even greater political liberalization. The old guard mainlanders who once unilaterally determined policy are finding themselves challenged and increasingly outnumbered.

Instead, younger members of the KMT may keep up the ideological commitment to a constitutional democracy. The last two leaders of the KMT have been flexible with their individual constituents, but rigid with collective forces, such as a power-hungry military, that might undermine stability. Former President Chiang Ching-kuo anticipated such a threat from the military and defused any potential by placing civilians in the leadership of the Ministry of Defense. The KMT's political maturity, in following what has been called "soft authoritarianism," complements the economic, social and cultural maturity that has so far fostered relatively smooth and peaceful transition toward democracy. The trend is likely to continue, but genuine democratization cannot be discussed without considering the issue of renunciation with the mainland.

Relevant History of US-Taiwan Relations: 1949-1977

The role of the US in fostering this trend of democracy is questionable. One certainty is that fostering democracy has not been the main goal of the US. The history of US policy toward Taiwan shows a close relationship, but one that focuses on issues of security and stability rather than political liberalization.

In early 1950, even that end was not sought. In December of 1949, Generalissimo Chiang Kai-shek fled to the island with two million of his fellow Nationalist

soldiers, professionals and technocrats. Chiang called on the US to aid the KMT efforts to regroup and reconquer the mainland. President Truman saw, however, that the CCP had won a decisive victory. There were many forces in the US government that wanted to see Taiwan remain non-communist, but short of military action, nothing seemed likely to be effective. Truman resigned to "lose" China (and Taiwan) to the Communists and give up hopes for a strategic base on Taiwan that Americans had considered since Commodore Perry's trip to the Far East in the 1850s. Truman did not want to get involved in China's civil war, and made that policy clear at all levels of communication.⁶

The outbreak of the Korean war in June 1950 completely reversed that policy. China's massive support in the North Korean aggression against the South Koreans showed US policy-makers that China may exercise an expansionist policy that would extend into the countries in Asia that had only five years ago been liberated from Japan's hold. The fear of China's intentions pushed Truman to declare that "the occupation of [Taiwan] by Communist forces would be a direct threat to the security of the Pacific area and to the United States performing their lawful and necessary functions in that area."⁷ Truman placed the Seventh Fleet in the Taiwan Straits to prevent the mainland forces from invading the island.

Thus, began the US efforts on Taiwan to contain Communist aggression there. Historians note that "the Korean War was instrumental in radically changing US relations with Taiwan, not only because it impelled Truman to adopt emergency measures to protect Taiwan from attack, but also because by the end of the war the United States and the PRC had come to regard each other as implacable enemies."⁸ The relationship between the US and the PRC is essential in understanding the US relationship with Taiwan. China's role in Korea, combined with its publicly stated alignment with the Soviet Union renewed the strategic importance of Taiwan. The island was now a base from which to launch campaigns of containment.⁹

The US therefore had strategic interests in keeping Taiwan non-communist. In addition, there were normative interests. Keeping Taiwan non-communist became an issue of principle. Taiwan was likened to South Korea in its position of defense against the monster across the strait. China's attempts to capture Nationalist-held islands of Quemoy, Penghu and Matsu in 1954—months after the Korean cease-fire, then again in 1958—underscored the threat of Communist Chinese aggression. Preventing Taiwan from "falling to the Communists" symbolized the US effort to prevent communism from spreading elsewhere in the world.

The US, therefore, committed itself to protecting Taiwan from "Red" China. The amount of aid directed to Taiwan to work ensure its security was massive. By 1951, \$50 million in military aid and \$42 million in economic aid was appropri-

ated for Taiwan's defense and development. In 1954, US signed the Mutual Defense Treaty with Taiwan, binding the US to intervene militarily in the event of a Communist invasion. By 1957, two billion dollars had been given, and the number of American officials stationed on the island reached 5000. These officials planned Taiwan's defense and economy. The theory held that a strong economy in Taiwan would be better at enhancing Taiwan's security.¹⁰

In this context, the US either allowed, or directly assisted extensive development of the governmental and non-capitalist sectors. . . The United States financed over 50 percent of Taiwan's investment in the public sector. That is, the United States helped build a state-led economy on Taiwan.¹¹

Despite the very undemocratic nature of this policy, the US pursued it with vigor. There was no time to allow for pluralist dissent and special interest groups. Taiwan needed a strong economy and could not tolerate domestic political turbulence.

In working to secure Nationalist rule over the island, two of the policies emphasized by the American advisors fostered democratic change in the domestic political structure. The ROC had been stripping the island of resources throughout the war with Japan, and the native population protested. Combined with the "2/28" incident of 1947, where Nationalist troops massacred hundreds of protesters in Kaoshiung, the Nationalists' track record with the Taiwanese was quite poor. US advisors suggested two important ways for the KMT to bolster domestic support and legitimacy. One way was to curb the rampant corruption that had disgusted so many urbanites on the mainland during the late 1930s and 1940s. The success of the CCP had partly been due to its discipline and clean policies compared to those of the KMT. Another was piece of advice was for the KMT to carry out land reform. US advisors knew that a more equitable distribution of wealth could help defuse the anger of the eight million native-born Taiwanese who resented the dominance and financial superiority of the two million refugees from the mainland.

While these policies were positive steps toward creating a stable democracy, the US did not advocate them on that basis. Given the security situation in the Pacific region—the PRC aligned with an aggressive Soviet Union—US interests in the region were more heavily strategic than idealistic. Wilsonian ideals of freedom and self-determination were not as important in the early years of the cold war. Indeed, besides instituting land reform, the KMT remained quite rigid in its authoritarian rule. The reforms carried out in successive years were directed toward the state-run economy, and if such reforms created the appearance of increased democratization, these effects were incidental. The United States, under

Presidents Truman, Eisenhower and Kennedy, continued to support the authoritarian rule on Taiwan and even supported the official line that the Nationalist government there represented Chinese people on both sides of the Strait. I place special emphasis on the 1950s because that decade clearly establishes the basis for the US concern for Taiwan's security.

The focus of this paper, however, is US policy toward Taiwan during President Carter's administration and the first four years of President Reagan's presidency. The only other background setting I wish to mention is President Nixon's relations with the PRC.

When the PRC was aligned with the Soviet Union, the US saw geostrategic importance in Taiwan as part of a line of containment stretching from Alaska and the Aleutian Islands, down through South Korea, Japan, the Philippines and, finally, ending in Australia and New Zealand. Taiwanese military installations, financed by US funds, served as training grounds and bases from which US military units were dispatched to Vietnam during the US military involvement in Indochina.

Nixon's trip to China underscores the importance I place in relations with the Soviet Union. By 1971, the year of Kissinger's secret visit to Beijing, the Sino-Soviet split had been apparent for almost a decade. Nixon sought to capitalize on the division between the two communist giants and shore up relations with China. The best ally against the Soviet Union could easily be its neighboring communist country, with whom it shared a three thousand mile border. The strategic importance of Taiwan diminished in the light of a rapprochement with the PRC.

Nixon therefore decided that the US must normalize relations with the PRC, and he communicated this decision with Beijing through the joint Sino-US Shanghai Communique. Besides other issues of Sino-US relations, the Communique stated that the US recognizes that there is only one China and that Taiwan is a part of China; that the US and the PRC would engage in negotiations toward normalizing relations; and that any such negotiations must include a two-fold PRC guarantee that the resolution of the Taiwan question would be peaceful, and that, in the interim, the security of Taiwan could be bolstered by US arms sales to Taipei. To this effect, the Mutual Defense Treaty between Washington and Taipei was still in effect. Still, the Chinese on Taiwan were understandably devastated by the news that their strongest—and lately, their *only*—ally would eventually abandon them for the arch enemy, the CCP. President Nixon did not set a date for the normalization, but the goal announced, and the United States was headed for a break with Taiwan's government as the legitimate government of the Republic of China.

President Carter's Administration

Just as any president's overall foreign policy objectives must be flexible, President Carter's foreign policy was ambitious in general, but realistic with respect to Taiwan. Numerous are the examples of Carter expressing very Wilsonian goals in his foreign policy. With respect to Africa, in an interview in 1979 he said, "We've raised the banner of human rights... We've opened up the continent of Africa to good relations based on basic human rights, majority rule, democracy, freedom, and equality."¹² Carter did not, however, elaborate on Asia, and particularly not on Taiwan.

Carter's policy toward Taiwan was kept somewhat secret for the first two years of his administration. When the issue of the Shanghai Communique came up during news conferences and briefings, both President Carter and his Secretary of State Cyrus Vance responded by acknowledging the need to normalize relations with the PRC without setting any date or even giving any general time span. In 1977, in response to a question about normalization talks with Beijing, the President told the American press that he had reiterated his belief in the Shanghai Communique; specifically, that there was only one China. "We didn't say which one...[laughter] and neither did anyone else, but the major obstacle [to normalization] is the relationship with Taiwan. We don't want to see the Taiwanese people punished or attacked."¹³

In other words, the President was pledging consistency with Nixon's steps in 1972, but he was not indicating that any change in policy was forthcoming. At the time, US policy continued to allow substantial amounts of economic aid and moderate arms transfers to Taiwan. Carter did not elaborate on future of his policy concerning the specifics of arms transfer to Taiwan and the role of the US military in defending Taiwan. Carter did repeat publicly—as he was obliged under the Mutual Defense Treaty with Taiwan—that any agreement with the PRC must include provisions for Taiwan's security. He also quietly continued arms transfers to Taiwan. His administration allowed the sale of advanced F-5E aircraft, the same aircraft the Reagan Administration would later deny to Taiwan.

When he was asked whether the US could normalize relations with the PRC and maintain Taiwan's security as it was then being provided for by the Mutual Defense Treaty, President Carter replied, "My hope is that we can work out an agreement with the PRC having full diplomatic relations and still make sure that the peaceful lives of the Taiwanese, the ROC, is maintained."¹⁴ Cyrus Vance, then secretary of state, made an official visit to Beijing in August 1977, but responded to reporters' questions with the same ambiguity. Nevertheless, Taiwan-watchers must have predicted that something big was coming soon after Vance's visit to Beijing.

They would have to wait until late in 1978 for it to happen. On December 15, President Carter announced that effective January 1, 1979, the US was severing diplomatic relations with the Republic of China and instead recognizing the People's Republic of China as the sole legitimate government of China. In a communique jointly issued by the US and the PRC, the two governments agreed that: "The United States of America and the People's Republic of China reaffirm the principles agreed on by the two sides in the Shanghai Communique and emphasize once again that:

- Both wish to reduce the danger of international military conflict.
- Neither should seek hegemony in the Asia-Pacific region or in any other region of the world...
- The Government of the United States acknowledges the Chinese position that there is but one China and Taiwan is part of China...¹⁵

Carter's unilateral severing of relations with the government of Taiwan was abrupt, unexpected and hardly pleasing to pro-Taiwan advocates in Taipei and Washington alike. Indeed, in Taipei, the KMT canceled elections that had been scheduled for December of 1978. In Washington, congressmen were stunned by the announcement, which came with little warning. The president announced on December 15 that "We do not undertake this important step for transient tactical or expedient reasons. In recognizing the People's Republic of China, that it is the single Government of China, we are recognizing simple reality."¹⁶ While it is valid to admit that the US was finally giving up an absurd position in favor what better conformed with reality, there were other issues in play.

First there was the political and strategic importance of China. Policy analysts in the US considered an alliance with China a better deterrent to the Soviet threat in Asia than continued non-recognition of the mainland. Japan undoubtedly would (and did) object to this consideration, as did Taiwan. Pro-Taiwan members of Congress were shocked and outraged by the President's sudden and unilateral actions concerning an area of the world that had long been the focus of strategic planning. While the US had been gradually reducing the size of its forces on Taiwan, many still considered Taiwan a valuable ally.

Also involved in President Carter's decision to recognize the PRC must have been the ideology of his foreign policy. While freedom and democracy did not manifest themselves in the communist system on the mainland, Carter must have had trouble reconciling his Wilsonian appreciation for self-determination with the notion that the government of an island of 17 million people legitimately represented a nation of over one billion—a nation which had largely favored the victory of the Communist Party.

Whatever Carter's reasons for recognizing the PRC, he was under considerable political pressure to state US intentions to continue to provide some kind of protection for Taiwan in the event that the PRC should choose not to honor its promise to resolve "the Taiwan question" peacefully. He and his administration proposed the Taiwan Omnibus Bill, which provided for continued trade, cultural and other unofficial relations between the US and Taiwan. US Republicans were unsatisfied with the absolute omission of any clause in the Omnibus Bill guaranteeing US protection of Taiwan in the event of war. By the time the bill passed through Congress in April 1979, it was radically changed, and it had become the Taiwan Relations Act.

The Taiwan Relations Act (TRA) included provisions for a continuation of unofficial US-Taiwan relations, but also included a clause obligating the US to provide Taiwan with the means necessary to defend itself from invasion (from the PRC, of course). While some members of Congress would have preferred it, the actual presence of US troops could not continue without violating—in letter, if not in spirit—the nature of the 1972 and 1978 joint Sino-US communiqués. Instead, the US was to provide Taiwan's defense needs through the transfer (sales) of whatever military equipment it was determined that Taiwan needed.

This part of the TRA left some ambiguity. It was up to the presidential administration at the time to determine what Taiwan did nor did not need for self-defense. In the case of the Carter Administration, this meant little change from the arms transfer that was going on anyway before normalization with the PRC. The US had been slowly reducing its role in Taiwan's defense force, both in troop presence and in financing. In March 1978, Richard Holbrooke announced that the US would discontinue Taiwan's foreign military sales credits. It was determined that, because of Taiwan's healthy economy and increasing trade surplus with the United States, Taiwan could finance its defense needs from its own resources.¹⁷ Otherwise, arms transfer continued. Carter allowed the delivery of older F104 aircraft, as well the sale of advanced F-5E aircraft, to Taiwan.

Throughout US relations with Taiwan, the PRC remains, of course, a prominent influence. All this talk about arms transfer to Taiwan and defense against invasion did much to impede the US-PRC talks, as I have already noted. It was perhaps under pressure from Beijing that Carter was reluctant to be anything more than vague about US commitments to Taiwan's security. In the PRC view, any US involvement with Taipei that was at all independent of or different from relations with Beijing was clearly US interference in China's domestic disputes. Beijing made an issue out of the arms sales at every level of communication with the US, and only acceded to the US position when it became clear that the US negotiators would not back down.

Pro-Taiwan advocates in the US predicted the pressure from the PRC. As a result of demands by Republicans in congress, the TRA included a clause stating the decisions concerning the sale of arms to Taiwan should be made considering the desires of lawmakers in Washington or Taipei *only*. Implicit in this statement is the desire to preclude, by US domestic law, the use of a bargaining chip that Beijing might seek to use later. This issue and accusations of over-influence from Beijing, would resurface throughout President Reagan's administration.

In essence, little can be said of President Carter's relations with Taiwan with respect to promoting democracy. His actions were focused on normalizing relations with the PRC without allowing a communist takeover of Taiwan. His announcement on December 15, 1978 included little talk of democracy, besides mention of the US desire for trans-Strait peace and human rights. The switch to alignment with the PRC may be better discussed in the framework of the US promoting democracy in China. The fact that the KMT canceled the elections scheduled for that December probably indicates the Taipei was shocked into assuring tight control over an island that had suddenly lost its biggest—and by that time, its *only*—ally. The sad truth for Taiwan was that President Carter's particular brand Wilsonianism favored formal relations with the PRC. His brand of Wilsonianism was realistic; it seems to have acknowledged that the banner of self-determination necessitated acknowledgement that the government in control of over one billion people more legitimately represented the nation of China than did a government whose constituents numbered barely 20 million.

The First Reagan Administration

As we have discussed extensively in the seminar and evidenced in our course readings, President Ronald Reagan was also very Wilsonian in his goals for foreign policy. His Wilsonianism made itself manifest in his vehement anti-communism. Reagan simply could not voice any kind of support for a communist government, the kind of government he sought to criminalize in the American mind by labeling in the "evil empire."

Perhaps, it is not so surprising, then, that in the late 1970s, presidential candidate Ronald Reagan repeatedly stated his support for the Republic of China. He visited Taiwan in April 1978 and made clear his policy toward the Taiwan issue at a speech to the Chinese National Association of Commerce & Industry. Citing polls conducted by *US News & World Report* and studies by Brown University, Reagan claimed that the American public agreed with his view that "abandoning a good friend and ally to an unknown fate in order to 'normalize' relations with Peiping¹⁸ is not worth the price of America's credibility."¹⁹ Reagan told the assembly that two-thirds of the American public (represented by Congressmen

polled) did not favor normalization at the expense of relations with Taiwan.

The campaigning ex-governor, eager to appeal to Taiwan officials, as well as to the prominent American businessmen in the audience, went to great lengths to outline reasons why the majority of the US public considered relations with Taiwan to be a greater national interest than normalized relations with the PRC. Reagan may have exaggerated the level of domestic support for his view, but he backed up his claims with several valid considerations.

Democracy was one of them. He outlined several areas in which Taiwan's level of democratization pleased the American palate. He noted Taiwan's freedom of religion, the narrow gap between the rich and the poor (despite astonishing economic growth), and the open borders, across which foreigners could pass freely; all characteristics of democracy that pointedly did not exist on the mainland. Reagan stressed that not only were conditions for democracy quite poor in China, but the CCP had no intentions of improving the lot of its citizens. He failed to mention, of course, the martial law on the island that entailed government censorship of the press, the prohibition of political contestation, and the criminality of criticizing the policies and actions of the KMT. Reagan was, after all, trying to make Taiwan out to be a beacon of democracy in a sea of Chinese communism.

Reagan also combined normative and strategic reasons for maintaining ties with Taiwan. In the same speech in Taipei, he said "one wonders just how deep the commitment to the liberalization of human rights really is in Peiping, when the declaration is made...that 'The Chinese People's Liberation Army must make all the preparations necessary for the liberation of Taiwan.' Does that suggest peaceful intentions?" In this way, he mixed the issue of human rights, issue of the peaceful resolution of the Taiwan question, and the fear of an expansionist China into one big melange of what I call an Absolute Fear of the Enemy. This Fear may have been the only argument against the wisdom of a strategic alignment with the PRC, for such an alignment would reduce the need for the US to rely only on separate military facilities in South Korea, Japan, Taiwan and the Philippines. Instead, the US would have buttressed the entire eastern border of the Soviet Union with a single pro-US ally.

Finally, as another reason Reagan proposed throughout his campaign, there was the economic importance of Taiwan to the US. In 1977, US-Taiwan trade totaled nearly six billion dollars, only to increase to over seven billion in 1978. Taiwan's total trade by the time of Reagan's inauguration in 1981 exceeded \$24 billion. In the late 1970s, Taiwan had grown from the US' 13th largest trading partner to the sixth largest by the early 1980s. In the days before he entered office, Reagan stressed the need for formal relations with Taiwan in order to ensure the continued level of trade and economic activity between the island and the US.

Candidate Reagan's policies toward China and Taiwan changed dramatically when he became President Reagan. As a candidate lobbying support from wealthy businessmen with vested interests in Taiwan, Reagan could assert his position that Taiwan should be given more importance than mainland China. As a candidate, he could say things like, "the Shanghai Communique [was] a description of things as they were by two leaders [who] do not govern today."²⁰ As president, however, he was bound to abide by the policy defined by Nixon and Carter and codified into law by congress. More importantly, Reagan was much more concerned about the Soviet Union. The trouble in Afghanistan had only just begun, and the Reagan Administration "took office committed to the thesis that the Soviet Union was an expansionist power that deserved confrontation, and China had long been stressing the same argument."²¹

The US then continued to express China policy that followed the intentions stated in the Shanghai Communique of 1972 and the joint Sino-US communique of 1978. Secretary of State Alexander Haig said that the Reagan Administration recognized the imperative of normalization with Beijing and saw no incompatibility with the "moral and legal obligations to abide by the provisions of the Taiwan Relations Act."²² This statement demonstrates the problems Reagan faced in dealing with the PRC and Taiwan. Beijing was pressuring the US to discontinue arms sales to the US, but domestic sources of policy had insisted that the US guarantee Taiwan continued sales. Secretary Haig admitted in August of 1981 that issue was a very sensitive one that had to be handled with "great prudence and care" in order to meet US obligations to the people on Taiwan without jeopardizing the future of relations with the PRC.

Yet all he would say about future US policy was that it would follow "the letter and the spirit" of the TRA.²³ In 1982, the Reagan Administration determined that the TRA did not obligate the US to transfer the F-5E aircraft to Taiwan. The TRA required the US to supply to Taiwan whatever weaponry was necessary for Taiwan's defense. By allowing the sale, the Carter Administration indicated that the US at that time felt Taiwan needed the aircraft. Reagan's actions indicated that Taiwan did not need them. Instead, Reagan compromised with the PRC in his 1982 joint Sino-US Communique. He had been talking with Premier Zhao Ziyang about normalization for some months with no real progress. The "knot in the relationship," as CCP Vice Chairman Deng Xiaoping described it, was Taiwan. The PRC wanted an end to US arms sales. Reagan could not, by law, accede to these demands. Instead, he promised that the US would reduce the level of arms sales to pre-1979 (TRA) levels. This permitted the US to sell Taiwan older, less sophisticated aircraft, such as the F104.

By the end of his first term, President Reagan had not elevated the level of

military sophistication. His administration, including other military analysts, felt that "for the next several years, probably well into the next decade, Taiwan should be reasonably secure from mainland attack...ROC F-5E's and F-104's are growing old, but in the hands of ROC pilots, they remain too effective for Beijing to take the risk."²⁴ Reagan thus communicated that he felt the US had fulfilled its obligations to the people on Taiwan.

The people on Taiwan felt that the Ronald Reagan who had visited Taiwan and promised to be Taiwan's political champion was now betraying them. Later in his administration, Reagan took other actions that many thought undermined Taiwan's security. Besides limiting military transactions with Taiwan, Reagan made changes in the economic relationship. In 1983, he took Taiwan (along with South Korea, Singapore and Hong Kong) off of the Generalized System of Preferences (GSP) program. As it allows a country's exports to enter the US duty-free, GSP status has been often used as an instrument of power. For instance, the US is currently threatening to remove Pakistan from the GSP because of AFL-CIO allegations of labor-rights violations and child-labor abuse. The State Department hopes the threat of removal of Pakistan's GSP status will encourage the government of Pakistan to take legal steps to begin to eradicate child labor and enforce labor laws.

With Taiwan, however, the GSP was not used as a tool. Reagan took Taiwan off the GSP list because the administration had determined that Taiwan, along with South Korea and Singapore, had reached a level of economic development that made trade-privileges and incentives unnecessary. Taiwan's economy by this time in Reagan's first administration was so vibrant that charges that this step undermined Taiwan's economic security (and consequently, its strategic security) were weak and quickly dismissed.

Comments and Conclusions About Carter and Reagan

The issues of arms sales and the GSP removal characterize the nature of Reagan's policies toward Taiwan during his first administration. Given his restrictions under the TRA and the two Sino-US communiques, Reagan had to reduce and limit official arms sales to Taiwan. More importance was attached to economic issues such as Taiwan's growing trade surplus and intellectual property rights (though these issues gained more importance in the mid-1980s, during Reagan's second term).

Reagan based his decisions on the need to normalize relations with the PRC. In order to offset the perceived power of the USSR, the US national interest was tied to aligning with the PRC. If this meant abandoning a long-time, capitalist ally and spelling its imminent destruction, Reagan might not have wanted to follow

the policy of his predecessors. However, given the fact that Reagan was bound by law (under the TRA) to support Taiwan but recognize China, he had no choice. Moreover, Taiwan's level of economic development and its military capability made it secure from immediate communist takeover.

The leaders in Taipei may have realized and agreed with the American perception that Taiwan's economic prosperity would bolster its security. The quick rate of liberalization—both politically and economically—may be a result of Taiwan's geopolitical isolation, especially from the US. The absence of a US military presence on the island may have impelled Taipei to bolster its domestic base of support by enhancing its mass-based legitimacy. The result was the lifting of martial law in 1986 and all of the political freedoms that came with it. Economically, Taiwanese businessmen entrenched themselves in the world market. Economic planners in Taipei may have hoped that any PRC interference in Taiwan's economic transactions would raise international ire and condemnations. Indeed, it is widely perceived that one reason the PRC does not invade Taiwan is the international commotion it would cause. By now, in the 1990s, Beijing may not invade because of the damage it would do to Taiwan's infrastructure and development—much of which was started by Taiwan when the US forces left in 1979, and all of which the PRC would like to harness and use as models for other provinces on the mainland.

Thus, Jimmy Carter and Ronald Reagan may have had little interest in democratizing Taiwan, but they had much to do with Taiwan's current level of democracy and stability today. The political isolation Taiwan had begun to feel in the mid-1970s, when China's seat in the UN went to the PRC, was sealed and determined by the US in 1979, when the US formally recognized the PRC. The isolation may have indirectly forced Taiwan to speed up its economic growth, which required greater levels of political liberalization. The results are still being monitored; at each set of elections, the KMT loses more of its power to the opposition. As I have noted before, the future of Taiwan's democracy is most closely related to the future of Taiwan-PRC relations. US efforts to push democracy even further in Taiwan are therefore not as instrumental as Taiwan's future with the mainland.

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⁶ Ralph N. Clough, Island China, (Cambridge: Harvard University Press, 1978), 9.

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¹⁸ The city of Beijing has been spelled several different ways. The original English transliteration of the Chinese dialect pronunciation, "Peking", was changed, by request of the CCP in the communique with Jimmy Carter, to the Pinyin "Beijing", which means 'Capital in the North.' The KMT, disliking the allusion to the communist defeat of the KMT in its 'Capital in the South' (Nanking/Nanjing), refers to the city as "Peiping", thereby removing 'capital' from the name.

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UN Operations in Cambodia

by Rachel Golder

The Cambodian peace agreement, signed on October 23, 1991, called on the United Nations to play a complex and unprecedented role in helping Cambodia move from a war-torn country to a unified independent state with an elected government. The UN peace plan intends to bring to an end to 22 years of military conflict in Cambodia that began in 1970 when Cambodia was thrown into the inferno of the Vietnam War, and continued through the years of internal turmoil wrought by the Khmer Rouge (1975-78), the subsequent invasion and occupation by Vietnamese forces (1979-89), and the war of resistance against the Vietnamese occupiers and the Cambodian government and army they put in power (1979-present) (Abdulgaifar, 34).

Many have watched the Cambodian experience as a milestone for the United Nations in peacekeeping and peacebuilding. The United Nations has never before managed a country as large as Cambodia and the UN role is extremely complex. The UN will administer the country in a run-up to the elections, taking over the major government ministries, ensuring that the cease-fire is maintained, clearing the land-mines and policing the country. Its ambitious tasks also include demobilizing 70 percent of all the opposing factions' armies; repatriating the refugees on the border, as well as those displaced by fighting in Cambodia, monitoring the full withdrawal of all foreign forces; and laying the grounds for elections (Roberts, 131).

The ultimate objective is to ensure that there develops within Cambodia a "neutral political environment" with an atmosphere "free from coercion, intimidation and political violence" (*Economist*, Sept. 1, 29). To pursue these tasks, the United Nations established the UN Transition Authority in Cambodia (UNTAC) with supervisory authority over all international governmental and nongovernmental agencies. In January 1992, the UN undersecretary-general, Yasushi Akashi, became head of UNTAC and took up residence in Phnom Penh on March 15.

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Recent Developments

UN secretary-general, Boutros Boutros-Ghali, certified, on June 10, 1993, that the election held in Cambodia was free and fair (McHugh, 1). With 90 percent of eligible voters voting—defying threats to their lives by the Khmer Rouge—FUNCIPPEC, the party of Prince Sihanouk, received 45 percent of the vote and the party of the government of Cambodia received 38 percent, leading to an anticipation of a coalition government (Kikuta, 34).

On September 26, 1993, a group of 150 Japanese engineering troops left for home, completing the withdrawal of Japanese members of a UN peacekeeping mission in Cambodia. It also marked an end to Japan's first overseas ground troop deployment since World War II (FBIS, 35). The battalion has left behind about \$10 million worth of equipment and supplies at its Takeo base, about 75 kilometers south of Phnom Penh, as donations for use in the country's socioeconomic development. Japan had sent about 1,300 peacekeepers to Cambodia, including military observers and civilian police, as well as the 1,200 engineering troops (FBIS, 35).

The UN chief peacekeeper also left Cambodia on September 26. With his voice choked with emotion Akashi said, "I take a deep satisfaction in the fact that UNTAC has been able to fulfill its task of aiding the Cambodian people to begin their historic march toward peace, national reconciliation, democracy and prosperity." Akashi's departure formally ended the UNTAC operation. He told an airport news conference that although UNTAC is leaving, there will be a "much smaller and more modest" UN presence to help Cambodia reconstruct its shattered economy, protect human rights and clear countless land mines. "I will rate our operation as nine on a scale of 10," Akashi said. "I will rate the performance of Cambodian voters as 9.8" (Kikuta, 35).

The withdrawal of UNTAC soldiers means that sometime soon, for the first time since Vietnam invaded Cambodia 15 years ago, the government of Cambodia should be entirely in the hands of the Cambodians (NYT, Shenon, A6).

Size and Timetable of UNTAC Forces

The Security Council approved sending nearly 22,000 personnel to Cambodia, including over 15,000 military personnel, 3,600 police, and 2,600 UN officials, volunteers and civilians, for administration, election preparation and human rights protection. In addition, the secretary-general planned to hire 50,000 Cambodians to assist in election efforts. In reality, the numbers have been somewhat lower (McHugh, 3).

Originally, the military forces were expected to be at full strength between

May and July 1992 during the disarmament of Cambodian forces. This would be followed by a gradual withdrawal, with about 3,100 personnel remaining until the anticipated end in July 1993. The withdrawal of military personnel was delayed until after the May 1993 elections because of the Khmer Rouge's refusal to cooperate in the cantonment and disarmament of its military forces.

Background and Analysis

The changing international and regional climate of opinion about Cambodia began to have a marked impact on prospects for negotiations starting early in 1987. There had been, before then, a series of dialogues and discussions between some of the parties, notably Vietnam and members of ASEAN, but with no real progress (Frost, 124).

On July 30, 1989, an international conference on Cambodia was held in Paris. The conference convened for one month and was attended by the four Cambodian factions, the six ASEAN countries, the five permanent members of the UN Security Council, Vietnam, Laos, Australia, Canada, India, Zimbabwe (representing the Non-Aligned Movement) and a representative of the UN secretary-general. On August 1, the conference adopted a general blueprint for peace, then broke into smaller groups to study issues, and finally agreed to fund a UN fact-finding mission in Cambodia in August (Frost, 140).

The central factor in the Cambodian peace process always has been governance, the institutionalization of political power (Pike, 847). The opposite of war in Cambodia is not peace—it is government. Conversely, if there is government there can be peace; without government continued warfare is inevitable (Pike, 847). Therefore, the ultimate goal of the UN was to ensure the free and fair election of a new government.

To accomplish this goal, the agreement outlined a very detailed series of inter-related actions for the UN. Cambodians had to be repatriated from the Thai border area, as well as from areas within Cambodia to which they fled because of the civil war. Their successful return involved mine-clearing and repair of roads, bridges and transport systems, as well as training in agriculture and other small-scale enterprises; food and other assistance was also supplied until a degree of self-sufficiency became evident. Military forces had to be disbanded and disarmed. Former soldiers had to be reintegrated into the civilian society to prevent a rise in banditry. Foreign military assistance to the Cambodian political factions, including personnel, had to end. Government agencies, which could influence voters by providing such benefits as fertilizer or police protection in exchange for political support, had to be neutralized. Political prisoners had to be freed and future imprisonments for political reasons stopped in order to encourage political party

formation. Finally, voters had to be registered and elections held and certified (McHugh, 4). All of this had to be accomplished quickly to ensure success and keep the cost of the plan as low as possible.

In bringing about free and fair elections in Cambodia, UNTAC has faced three serious problems. First, the operation is expensive and funds from foreign governments have been slow in coming. Second, the Khmer Rouge continues to be an obstacle to peace. Third, the abysmal state of the Cambodian infrastructure, both physical and human, can barely support effective governance. Despite these complications, the UN mission has made progress in the following areas: military and police, electoral activities, rehabilitation and repatriation.

UNTAC Problems

Khmer Rouge Disruptions

The Khmer Rouge has refused to cooperate with UNTAC in disarming its forces and has refused to allow UNTAC unrestricted access to Khmer Rouge areas for military and police purposes. Many are concerned that the Khmer Rouge, which maintains the largest and most disciplined military force in the country, with strong financial resources derived from mining and logging operations in the northwest, will resume military action. The Khmer Rouge has been out to disrupt and discredit the election in an attempt to deprive the winner of both international legitimacy and aid (MacFarquhar, 46).

Since late March 1993, Khmer Rouge-sponsored violence in the countryside, and a series of coordinated bombings in Phnom Penh, have triggered an exodus of thousands of ethnic Vietnamese from Cambodia. In addition, deliberate attacks on UNTAC forces have, for the first time, killed a number of UN soldiers (Thayer, April 15, 20). Responsibility for most of the roughly 100 ethnic Vietnamese who have been killed since March in Cambodia has been attributed by UNTAC to the Khmer Rouge (Tasker, Uninvited, 13). An attack on ethnic-Vietnamese villagers from August 14 to 15 was a grim reminder of the Khmer Rouge stance. UNTAC officially blamed the Khmer Rouge for the killing of an ethnic Vietnamese and the abduction of eight children from a village in Kompong Chhnang province, in central Cambodia (Tasker, Uninvited, 13).

The Khmer Rouge refused to participate in the peace process, complaining that the UN had not ensured that all Vietnamese forces had left Cambodia. They also threatened to disrupt the elections. The security situation deteriorated in the weeks before the election. Voting ended on May 28 with only minor incidents. The difficult job of reconciling the factions to the election results and establishing a new constitution and government remains for UNTAC. The threat of the Khmer Rouge military action also remains.

One report claims, "The Khmer Rouge are trying to force the government to spend more money on fighting which will create panic. Panic creates speculation, making people more unhappy with the government" (Asia Yearbook, 92).

However, the Khmer Rouge did not succeed in keeping UNTAC from holding the election, nor did they succeed in preventing the Cambodians from voting. As the election progressed, they seemed to change their strategy to encourage their supporters to vote for Prince Sihanouk's party in hopes that he would include them in a national coalition government.

Shortage of Funds

Funding the UN mission has been difficult. The Cambodian operation has cost close to \$2 billion. Several new peacekeeping ventures under UN auspices are underway, or anticipated to begin soon, and will also require funding. Other humanitarian emergencies are also projected to require large expenditures. Yet, many members are behind in their payments to the international organization because of their own domestic problems. Russia, required to contribute 15 percent of the UN peacekeeping operations, has been unable to pay. The United States is still paying off a multi-million dollar debt for other peacekeeping operations and owes more than \$200 million. Thus far, much of the cost of peacekeeping activities in Cambodia has been met by borrowing from funds earmarked for other purposes (Abdu, 34).

Physical Conditions of Cambodia

Infrastructure Problems

In his meeting with members of congress, Akashi expressed concern about the dismal state of Cambodian government finances and the country's infrastructure. The Cambodian government has been unable to provide even the most basic equipment for the UN forces, a factor driving up UNTAC costs. Not only did UNTAC have to bring its own vehicles, communications and military equipment, but in many cases it had to import buildings, clean water, food, spare parts, paper, typewriters and skilled personnel. Voluntary agencies in Phnom Penh complain that they must bear 100 percent of their program costs because the Cambodian government has been unable to assist them in their work. In addition, civil servants, including medical personnel, teachers and police, are paid very little or not at all. Road and infrastructure repairs are hampered by lack of equipment in Cambodia and the dismal state of roads and infrastructure.

Industry is dogged by power shortages. The absence of public transport (except by rail or boat), severely damaged roads, barely functioning telecommunications, and a low national stock of bicycles and motorized vehicles also constrain

economic activity by reducing efficiency in the production and distribution of goods. This factor contributed greatly to the low level of activity and productivity in rural areas during the past two years of otherwise impressive growth (EIU, 3rd Quarter, 54).

Meanwhile, the destruction of infrastructure continues: more than a dozen bridges and a few precious train carriages have been destroyed in continuing fighting since the elections (EIU, 3rd Quarter, 54).

Mines

Mines have been laid by a variety of armies in Cambodia since the outbreak of war in 1970, and no reliable maps for these are available. Cambodians are thus facing the task not just of clearing mines laid last year or the year before, but of finding and destroying mines laid regularly by different groups over the past 20 years. Many of these mines are now overgrown by vegetation, immersed in water or simply forgotten, but they are no less lethal (Asia Watch, 21). There is no easy way of developing procedures for prompt location and deactivation of the mines. They pose a serious on-going threat to civilians in Cambodia and to those seeking to return (Frost, 133).

A team appointed by William Draper of the UN Development Programme found that for nearly two decades mines have been laid along the border areas and sown elsewhere indiscriminately (Morello, 19). The study urged isolating such areas and, with the aid of foreign experts, teaching local populations to detect and report wartime explosives.

Population Problems

The Cambodian population that survived Khmer Rouge rule, the civil war, and over a decade in the border camps, has severe deficiencies that limit the future reconstruction of Cambodia. The border camp population is young (nearly 50 percent are under the age of 15) and highly illiterate. Two-thirds were either born in the camps or have lived there since 1979 or 1980. In 1989, women were still estimated to constitute 63 percent of the adult population and 53.7 percent of the total population (many of them being widows with dependent children) (Far East and Australasia, 170). This demographic imbalance was the result of the widespread elimination of adult men, by execution or starvation, under the Khmer Rouge regime (Far East and Australasia, 170). Few in the border camps know much about farming or have the skills needed to live in rural areas. The condition of the population inside Cambodia is similarly bleak. An estimated 170,000 Cambodians have been driven from their homes to other areas of Cambodia by warfare or mines. Cambodia also has one of the highest ratios of handicapped persons in

the world as a result of land mines—there are an estimated 55,000 amputees. Unfortunately, Cambodia has a very limited institutional ability to deal with the disabled. By its own laws, the Phnom Penh government is supposed to provide the disabled with a monthly pension, but relief agencies report that these payments are often paid in a single lump sum after the accident or never paid at all (Asia Watch, 76). There is an acute shortage of human expertise, since most educated people were killed by the Khmer Rouge. The single most intractable problem to face Cambodia will be the sheer lack of trained and educated Khmer personnel. While precise statistical evidence to document this is not available, it is abundantly clear that so great was the devastation of the educated Khmer community—by Pol Pot, by years of war and dislocation, and by neglect—that after peace comes, at least a decade will be required to replace the lost educators, scientists, medical doctors, public health workers, engineers, government administrators and others (Pike, 852).

A major barrier to national rehabilitation is the paradox that, even though the country is starved for investment, it has a severely limited absorption capacity because of a lack of qualified people able to plan, manage and implement a recovery that foreign investors may be willing to underwrite.

Those working with the Cambodian population are also concerned about health conditions in the country. Of special concern is a strain of malaria which is resistant to medication. This strain is found all over Cambodia, but Battambang Province is especially infected. While mines are killing two to four people each day, according to the World Health Organization's (WHO) expert in Cambodia, malaria is killing many more. Medicine to treat malaria is in very short supply, especially in the rural areas. Although malaria has not been a serious problem to the returning population thus far, it is a disease which strikes during the dry season, which is beginning in November. WHO is also seeing growing numbers of cases of sexually transmitted diseases and HIV infection (McHugh, 4).

Progress to Date

Military and Police

Cantonment was begun, but the refusal of the Khmer Rouge to cooperate with UNTAC in this area led to a breakdown in the cantonment, disarmament and demobilization process. Consequently, UNTAC troops were redeployed to protect voter registration and the electoral and polling process, particularly in remote or insecure areas. Beginning in December 1992, UNTAC military and civilian forces came under increasing attack as they entered areas controlled by the Khmer Rouge to register voters. Khmer Rouge forces also briefly detained dozens of UNTAC military and civilian personnel who entered their territory under negotiated entry

agreements. The first UNTAC casualty due to hostile fire occurred in late March 1993. On May 29, the 17th UNTAC peacekeeper was killed. Many more have been wounded.

Eleven mine clearance centers have been established, and thousands of soldiers from all four factions have been trained by UNTAC. Twelve mine clearing teams are working to clear farmland and access roads. A coordinating committee, the Cambodian Mine Action Center, was established under UNTAC and the Supreme National Council to coordinate mine clearing, minefield marking, and to undertake long-term programs in mine awareness.

UNTAC military personnel repaired roads, bridges and other transport facilities; escorted convoys of refugees returning to Cambodia; and provided security for reception centers and voter registration activities. UNTAC forces also stepped up activities to control banditry throughout the country. UNTAC personnel are stationed at border checkpoints on the Vietnam border, the Laos border and the Thai border, as well as at several airports, the port of Sihanoukville, and on major road routes within the country. They have not been allowed to establish checkpoints in either Thailand or Khmer Rouge-controlled areas that would allow them to monitor the flow of products covered by the Security Council's embargo on log exports and oil imports, but these areas are being monitored by air.

Electoral Activities

A draft electoral law was drawn up by UNTAC and imposed by UNTAC head Akashi over the objections of the Khmer Rouge on August 8, 1992. As adopted, Cambodian voters include persons born in Cambodia, at least one of whose parents was born in Cambodia, or persons, wherever born, at least one of whose parents is or was a voter under the first definition. The law also allows overseas Cambodians to vote, but they must register in Cambodia.

Voter registration began on October 5. Over 4.6 million voters were registered by the end of the registration period on January 31, 1993. Twenty political parties were registered. Only about 0.3 percent of all applicants to vote were rejected, belying the concern of many that illegal Vietnamese settlers would try to vote in the election. The Khmer Rouge refused to participate in voter registration and in April threatened to disrupt the election. The Khmer Rouge harassed and attacked UNTAC voter registration missions in their areas. The violence prompted many of the UN volunteers working in the elections to withdraw from the insecure areas north and west of Phnom Penh. Press reports indicated that, as a result, UNTAC reduced the number of voting stations from 1,850 to 1,400, with major reductions coming in Khmer Rouge areas. On November 30, 1992, the UN Security Council passed a resolution affirming the ending of registration on January 31, 1993, and

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reaffirmed its commitment to have the Cambodian election for a constituent assembly no later than May 1993, whether or not the Khmer Rouge chose to participate.

As voter registration and the election campaign progressed, increased violence against party offices and officials occurred. In December 1992 alone, 14 members of the FUNCINPEC party of Prince Sihanouk's son were murdered. During January 1993, there were more than 50 attacks on the party offices and workers of both FUNCINPEC and the Buddhist Liberal Democratic Party, the two largest opposition groups. All have been investigated

by UNTAC, but most of the crimes remain unsolved due to lack of witnesses. FUNCINPEC asserted often that most of the violence was controlled or condoned by the ruling Hun Sen government.

On January 1, 1993, UNTAC announced that it would provide party protection to party officials who seem to be at risk. On January 6, UNTAC assumed powers to arrest, detain and prosecute suspects in cases involving serious human rights violations. Between March 1 and May 14, 200 people were killed in ethnic or political murders. UNTAC determined that the Khmer Rouge was responsible for 131 deaths, 250 injuries and 53 abductions, and the government of Cambodia was responsible for 15 deaths and 9 injuries. The other crimes remain unsolved.

The election began in May 23, and the Khmer Rouge threats of military action to disrupt the elections did not materialize. Voting continued until May 28. There were nearly 1500 expatriate poll workers, including 50 from the United States. Unarmed UN civilian police, backed by peacekeeping troops, guarded the polling stations. Metal detectors were used to prevent violence, and soldiers were allowed to vote only if they were unarmed. Ballot boxes were sealed every night and voters' fingers marked with invisible fluorescent ink to prevent double voting. Voters who did not have a registration card (some had been confiscated by various factions) were allowed to vote tentatively, pending fingerprint identification against computerized voter registration rolls. UNTAC head Akashi declared the election free and fair on May 29, and the count of votes began then. The Security Council adopted a resolution on June 2 urging all the factions to respect the results.

Rehabilitation

Thirty-five rehabilitation projects totalling \$340 million were approved in 1992. These included programs in the areas of drinking water, sanitation, schools, health services, food security, and support for disadvantaged women, children and the handicapped. An Asian Development Bank loan for \$74.4 million to finance programs in transportation, power, agriculture and education was opposed by the Khmer Rouge, but imposed by UNTAC with its authority under the Paris agreement.

Repatriation

The UN High Commissioner for Refugees (UNHCR) was directed to carry out the repatriation of Cambodians in the border area and the resettlement of persons displaced within Cambodia under the overall authority of UNTAC. Bus convoys and rickety trains transported up to 40,000 Cambodians a month from Thai camps to the refugee reception centers inside Cambodia (Moreau, 38). Repatriation under UN auspices began on March 30, 1992. When it ended in April 1993, 462 refugees had been repatriated. Untold numbers of Cambodians returned on their own. The last border camp, Site 2, closed on March 30, 1993. In contrast to other UNTAC programs, the Khmer Rouge made no attempt at obstructing or interfering with the repatriation. UNHCR statistics show that refugees returned to Battambang province (28 percent), Banteay Meanchey (27 percent), Siem Reap (9 percent), Kandal (8 percent), Pursat (7 percent), and Takeo (5 percent). No significant settlement occurred in urban areas. Each family was given \$50 per adult and \$25 per child, some household gear, and a guarantee of 400 days of rations (Moreau, 38).

Future Issues

Cambodia is one of the five poorest countries in the world (Neher, 182). The Provisional National Government has inherited a nearly empty treasury, a deep budget deficit, a demoralized civil service and a fiscal structure which is ill-suited for effective management of the economy (EIU, 3rd Quarter, 48). Although there has been growth in GDP over the past two years, stimulated in part by the presence of the 22,000 UN peacekeeping operation, it cannot be sustained. In 1992 alone, and even though most UN equipment and food was purchased abroad, UNTAC is believed to have injected some \$200 million into the Cambodian economy, a sum representing about 10 percent of GDP (EIU, 2nd Quarter). Many foreign investors, initially attracted by the prospect of peace and sustained, internationally-coordinated reconstruction, began to pull out before the may elections and show no interest in returning (EIU, 3rd Quarter, 49).

As late as March 1993, the economic advisors attached to UNTAC were forecasting real growth of 10 percent or more for 1993 on the assumption that output would continue to grow at the pace set in 1992. Embedded in this assumption is confidence that rapidly falling UNTAC contributions to the economy in the form of rents, salaries and assistance payments will be replaced by even larger inflows from development assistance and private investments. This confidence is misplaced. The possibility that GDP will not expand at all in the coming years must be taken seriously.

The Cambodian peace process has been a sobering experience for those who imagined that the UN had magical powers to create a dramatically better world. Not surprisingly, many Cambodians are reluctant to believe that the final poll results will help produce stability. Given the Phnom Penh regime's refusal to accept defeat, and the uncertainties created by Prince Norodom Sihanouk's short-lived attempts at coalition building, there is real concern that the country may teeter back into violence and anarchy (Thayer, June 17, 10).

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Pakistan's Environment

by Saleem Ali

The most fundamental environmental problem that accelerates and exacerbates other ecological stresses is rapid population growth. Whether one is a Cornucopian or a Neo-Malthusian, some important realities must be borne in mind: Human beings are the major consumers of natural resources, they are the main agents of development and, often, the most prominent victims of environmental degradation. The complex convergent interactions between population growth, resource exploitation and development constitute a population nexus. Development can often slow population growth, and population growth, beyond a certain point, will usually reduce development. According to the World Conservation Union, for each one percent of population growth, three percent of the gross national product (GNP) is needed as "demographic investment" to expand technology and employment options (WCU, 1991). In Pakistan, the population growth rate is about 3.5 percent while the GNP growth rate is only 2.5 percent (World Bank, 1992). Reducing the population could thus have many economic benefits. For example, in Rwanda, a detailed government study revealed that a 30 year program to reduce the fertility rate would save the country two year's worth of its current gross national product (UNCED #6, 1992).

Optimistic demographers have often argued that over time there has been a synchronous rise in both population and development. Some even cast doubts about the accuracy of most population projections for the future (Perlman, 1984). However, general economic development and an increase in GNP is commonly an erroneous measure of human prosperity because the data homogenizes extremes and gives a very tempered picture of human suffering. Moreover, human suffering in any number must not be relegated to the realm of mere statistics but should have a subjective quality. An effort must be made to eradicate even small vestiges of suffering. Controlling population is an inherent

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way of attacking the problem. Those who argue that more people may bring greater capabilities are making a risky assumption that the existing situation would provide a tenable environment for a cultivation of capabilities. It may or it may not. I personally feel that in this case the risk is so great that it is better to be safe than sorry. Risks of this magnitude are just not worth taking. When economic pressures resulting from resource usage exceed the energy input from the population, there is general deterioration of living standards for more people. The government of Pakistan acknowledges that squatter settlements (*katchi abadi*) are growing more rapidly than urban population growth, which shows that living standards are indeed deteriorating in some cities (PMEUA, 1991). Many developing countries are facing this situation. Out of the world's estimated population of 5.48 billion, 4.1 billion reside in developing countries. As much as 97 percent of anticipated population growth will occur in these areas (UNCED #6, 1992). The impoverished parts of the world are thus in danger of becoming even poorer as the carrying capacity of the land and its resources are exceeded. It is difficult to quantify the carrying capacity of a country because critics argue that the carrying capacity can be increased as more resources are discovered. However, resources are eventually bound to be finite, and therefore the populace is likely to be more prosperous if fewer people exploit the intrinsically finite resources of the planet. The state of the world's fisheries vividly illustrates this point. Rising demand is expected to exceed what the oceans can produce by 20 percent in as little as 20 years. The populations of bluefin tuna, for example, have declined by 90 percent since 1970 as human population grew exponentially (*Time*: June 1, 1992). After all, there are more people living today than have lived cumulatively since the earth's creation.

Demographic statistics and projections are often quite varied. By any standards, Pakistan's population is very large, considering its area of about 88.2 million hectares. Even the government of Pakistan in its report to UNCED acknowledges that the population growth rate is the 14th highest in the world. This fact is even more disturbing when we consider that Pakistan is ranked 122 on the Physical Quality of Life Index (Kurian, 1984). "Thus territorially modest Pakistan—ranking 32nd in the world in land size—is the ninth most populous country and will rank at number seven by the year 2000" (PMEUA, 1991). There are, however, some shades of hope in this dismal forecast. The rate of population growth is now beginning to decline. This does not mean that the population is decreasing but that it is heading towards a plateau level or equilibrium. The World Bank estimates that Pakistan's population will probably stabilize at about 400 million by the year 2100 (World Bank, 1992). There is,

nevertheless, so much uncertainty concerning trends in fertility, that we should be prepared for much greater stabilization levels.

Urban migration is a major demographic problem in Pakistan as it leads to congestion and requires rapid development of cities. The urban population percentage in Pakistan is about 32 percent of the total and is growing at 4.87 percent per annum (ESCAP, 1990). The result is that without adequate jobs and proper sanitation facilities, many cities begin to form slum areas. General poverty levels in the country may appear to decline but there are pockets in urban areas where extreme destitution prevails. About 25-30 percent of Pakistan's urban population are squatters. In Karachi, 38 percent of the population resides in *katchi abadis* and are growing by approximately 200,000 people per year (PMEUA, 1991). This is twice as fast as the population growth of Karachi. There are, however, several innovative schemes which are being organized to improve the plight of such areas. The Orangi Pilot Project in Karachi has now become an international success story of community action. Started by Dr. Abdul Hameed Khan in 1980, the project has managed to provide sewage services to over 600,000 slum inhabitants. Although such schemes are certainly commendable, I feel that more attention needs to be given to the more fundamental problem of controlling the growth of population so that subsequent crises can be averted before they arise.

Family planning initiatives in Pakistan have achieved limited success because of firmly entrenched cultural beliefs that often preclude the importance and wisdom of having fewer children. The Family Planning Program of the Pakistan government is using television commercials, newspaper advertisements and educational programs at the grassroots level to inculcate the importance of family planning. There is, however, a general taboo concerning the use of contraceptives. The result is that Pakistan has the lowest contraceptive usage of any South Asian country (UNICEF, 1992). "Male mania" is very common in the country and many families feel that it is important for them to keep producing children until they have male offspring. Several non-governmental organizations (NGOS), such as the Family Planning Association of Pakistan (FPAP, and PAASBAAN: recipient of UNEP's Global 500 Award), the Aurat Foundation, and the Woman Action Forum are trying to educate women in an attempt to change social attitudes. There are also many logistical problems. The United Nations Population Fund (UNFPA) estimates that nearly 300 million women of reproductive age do not have access to family planning facilities in developing countries (UNCED #6, 1992). It is, therefore, essential to provide easy access to contraceptives and hospitals for an effective implementation of family planning programs.

Age distribution is a crucial factor in making future population projections. In Pakistan, nearly 58.4 million inhabitants are below the age of 16 (UNICEF, 1992).

These children will soon be in the prime of their reproductive years. Even if they restrict themselves to two children each, the demographic effect will be small in the short-run because there are more reproducers to begin with. Despite this fact, most population analysts believe that the downward trend in the population growth rate will continue as it has done since 1960. Rapid migration from Afghanistan and elsewhere is a factor which might alter these projections. Millions of refugees now reside in Pakistan and many more are expected to immigrate as civil strife continues across the border. Afghans have the highest average family size in South Asia (*The Nation*: Lahore, June 1992). This massive exodus is now being referred to as "the largest migration in recent times" (Messerli and Ives, 1989).

The future is thus quite uncertain as far as population projections are concerned. One may share some optimism with the government in terms of the success of some family planning schemes but there is no room for complacency. It is imperative that we realize the integral linkage between population growth and subsequent environmental crises. Only then can sustainable solutions to the ecological problems of Pakistan and other nations be found.

Instituting Sanitation Amidst Squalor

Water: An Elixir of Life and Death?

Water quality is exceedingly important for public health, agricultural productivity and environmental prosperity. Water pollution is a major environmental concern for Pakistan, not only because of the pathogenic risks associated with it but also because water is an integral component of agricultural success, which is for Pakistan a major source of its income. People are often deceived by the abundance of water that is evident from the ubiquitous "blue" on maps. The interesting fact is that only 1 percent of the world's total water is available for human consumption. Despite the United Nation's commendable achievement of getting 1.35 billion people access to safe water within 10 years (1981-91), a total of 1.2 billion people still do not have access to safe drinking water and another 1.7 billion do not have sanitary means of disposing human waste (UNDP, 1991).

Freshwater Resources and the Dilemmas of Agriculture

Pakistan is fortunate to have five large rivers that make it one of the most intricately irrigated countries in the world. The Indus river basin covers more than 70 percent of Pakistan's geographic area and is enmeshed with thousands of canals that can collectively deliver over 7,000 cubic meters of water per second. According to the Worldwatch Institute in Washington DC, Pakistan has the fifth largest irrigated area, more than 16,000,000 hectares, in the world; 77 percent of Pakistan's croplands are irrigated compared to only 33 percent in neighboring

India (Brown et al, 1990). Irrigation is thus the primary purpose for exploitation of freshwater resources. The consequences of excessive irrigation without adequate drainage in Pakistan have been devastating in some areas. Waterlogging and salinization are the most important problems created by an excess of water on the surface. Applying 10,000 cubic meters of water to a hectare per year, a fairly common irrigation rate, adds between two to five tons of salt to the soil annually (Postel, 1989). The United Nations Environment Programme estimates that about 40 million hectares of land in the world is damaged by salinization and about half of this area is in India and Pakistan (Tolba, 1984). As the water table reaches the surface, the fertility of the land is lost because very few plants are able to tolerate continuous moisture and high salt concentrations. The result is often total desertification of the area.

One of the most effective ways of controlling waterlogging is to install tubewells which lower the water saturation level and also provide the populace with freshwater. Since 1958, the Pakistani government has launched a series of Salinity Control and Reclamation Projects (SCARP). More than 13,000 public tubewells have been installed through these projects and land salinity has been reduced from 40 percent to 28 percent. However, the pace of many of these projects needs to be accelerated and better water-management schemes need to be organized because over 40,000 hectares of land are still lost to salinity each year (ESCAP, 1990). Water is a very tenuous issue between India and Pakistan because the headwaters of Pakistan's major rivers are in India. The Indus Basin Treaty of 1960 regulates water distribution between the two countries but Pakistan often complains that excessive amounts of water are consumed by India and that Pakistan gets only a small share. The conservation of water is thus of vital strategic importance for Pakistan, in case relations with India become hostile. Estimates from the United States Agency for International Development (USAID) show that better irrigation management with available technology could save Pakistan approximately 50 cubic kilometers of water annually. This amounts to over four times the capacity of Tarbela dam (Postel, 1989). In some areas of Pakistan, rainfall is indeed scarce and irrigation is a necessity. However, such land must be managed very carefully. R.P. Singh of the Institute for Dryland Agriculture in Hyderabad, India has suggested that moisture conservation strategies, runoff harvesting for cultivating rabi crops, along with off-season tillage and mulching is specially suitable for most soils in the Indian subcontinent. Such practices have increased sorghum crop yields by up to 40 percent in Telengan, Andhara Pradesh, India (Kotler, 1990). Planting salt-resistant species such as Kallar grass (*Diplachne fusca*) can also be helpful in preventing the rapid spread of salinity.

Soil erosion is a major problem associated with irrigation and land use prac-

tices. 36 percent of Pakistan's land is affected by water erosion and 40 percent by wind erosion. The problem is particularly severe on the terraced hillsides of the North West Frontier Province where the provincial government estimates an average annual soil loss of 1,000 kg per acre. Deforestation, a rampant phenomenon in the coniferous forests of the north, worsens this problem greatly. Soil erosion also leads to heavy siltation in riverways which constitutes yet another ecological crisis. The government of Pakistan acknowledges that siltation rates in the Indus are among the highest in the world and many geographers estimate that the Tarbela dam may be completely silted up by 2020 (G.O.P, 1988).

Pollution of waterways

The rapid deterioration of water quality has now become an imminent ecological and public health crisis in Pakistan. 80 percent of all illness and 40 percent of urban deaths are estimated to be caused by unhygienic water (PMEUA, 1991). Raw sewage, industrial effluents and agricultural runoff are discharged into waterways without any regulations or accountability. The persistent threat of pathogenic epidemics in Pakistan is mainly attributable to sewage pollution. There are only two large sewage treatment plants, one in Karachi and one in Islamabad. Both of these plants are operating below capacity. The government asserts that 50-55 percent of the urban population of Pakistan is provided with sewage and drainage service. However, sewerage treatment is very rare. In Karachi, for example, only 15.6 percent of the sewage is treated, the rest being discharged raw into the sea. Lahore, the second largest city in the country, has the most inefficient sewage treatment system. 380 cusecs of untreated sewage are discharged into Lahore's Ravi River. This sewage discharge results in a loss of about 5,000 tons of fish production per annum (Jawaid, 1989). Sewage pollution along with excess nutrients from fertilizer effluent are also leading to eutrophication in many lakes and rivers. Stagnant pools of green algae are a frequent sight, especially in Punjab (the most populated province).

Flourishing tanneries and similar industries which use organic solvents and dyes are probably the most significant contributors of carcinogenic material to Pakistan's waterways. The city of Kasur, near Lahore, is home to 130 tanneries which discharge 136,000 cubic feet of effluent per day into surface waterways. The exceedingly high incidence of ophthalmic diseases and cancer have recently forced the Tanneries Association Dingarh to plan the establishment of an effluent treatment plant (PMEUA, 1991).

Heavy metals, mainly lead and cadmium, are very high in many drinking water supplies. Leaded gasoline is still used in Pakistan, and most paints and pig-

ments still contain high amounts of lead. The World Health Organization recommends 0.05mg/L as the maximum permissible quantity of lead. Water samples in Islamabad were found to contain four times, and in Rawalpindi six times this amount (*The Herald*: Karachi, April 1992). Silver leaves (*Chandi kay varaq*) that are often used to embellish desserts, have also been found to contain small quantities of lead. Lead contamination is thought to be the cause for a high number of congenital birth defects and brain abnormalities in children.

Most school laboratories do not realize that compounds such as potassium dichromate and lead nitrate and several polyaromatic hydrocarbons are suspect carcinogens and that dumping wastes down the drain is tantamount to poisoning water supplies. The chemicals under question do not decompose easily and once they are in the sewers, they make their way into groundwater and eventually enter drinking water supplies. As much as 90 percent of drinking water requirements of Punjabis are met from groundwater. Geological filtration processes are often not effective in removing many chemicals. Unfortunately, the most commonly dreaded chemicals in Pakistani school laboratories are nonmutagenic corrosive compounds like sulphuric acid and sodium hydroxide. People fail to realize that the health effects of compounds such as carbontetrachloride, benzene, and ethidyl bromide are far more insidious, although they may not "burn" one's skin. Some safety consciousness is now beginning to permeate through the benighted labs of Pakistani schools. In the department of Chemistry at Qaid-e Azam University, methanol and many solvents are now recycled and then made innocuous before disposal (Dr. M. Jaffery, p. comm., June 5, 1992). It is, however, extremely important to establish a waste management system which regulates the proper disposal of hazardous chemicals.

The use of pesticides and fertilizers are rapidly rising in Pakistan. Between 1972 and 1989, fertilizer use increased from 436,000 tons to 1,739,000 tons and pesticide imports increased from two million tons to 11.3 million tons respectively. The Agricultural Pesticides Ordinance is supposed to regulate the use of agricultural chemicals but implementation of the safety guidelines is not effective. The only positive sign is that the government has largely discontinued subsidies for the use of pesticides and banned the registration of six chemicals: dieldrin, heptachlor, amitaz, maleic hydrazole, captan and leptophos. The use of the highly controversial ethylene dibromide (which created an uproar in the US: See Krimsky, 1988) has also been discontinued (Repetto, 1985 & PMEUA, 1991). Many other dangerous pesticides, such as parathion and DDT, are still used with impunity and there is a tremendous need to promote organic farming and polyculture in the country.

Marine Pollution

Although Pakistan has a small coastline of about 825 km bordering the Arabian Sea, marine pollution is a serious concern because the nation's largest city and port, Karachi, is situated on the coast. Wastes from the city and from numerous vessels that visit the port have caused extensive marine pollution. The United States recently banned all fish shipments from Pakistan after a Food and Drug Administration (FDA) study declared that Karachi's harbor is the most severely polluted in Asia (News India: New York, March, 1992). About 100 oil tankers and 2,500 other ships visit Karachi (Manora Channel) every year. Apart from leakage from these vessels, Pakistan's coast also gets a share of oil spills which frequently occur in the Persian Gulf. Tar balls are often sighted near Port Qasim and Gwadar (GOP, 1986). Lead concentration in the Manora Channel were found to be between 1-3ppm and about 1.5mg/L near Mauripur salt works (Beg, 1984 & GOP, 1986).

Solid Waste Disposal

Colossal quantities of waste are generated by Pakistan's industries and domestic establishments. Most large cities have a garbage disposal system but many people still prefer to burn their refuse instead of taking the trouble of carrying it to the dump drums. 92 percent of the cities have municipal solid waste collection that extends to 50 percent of the population (Kemal et al., 1990). The disposal systems are, however, deceptive because there are no organized landfills or incinerators, let alone recycling centers, where the waste can be properly disposed. It is commonly taken to waste areas where it is collectively burnt or left to rot. A very disturbing aspect of this situation is that 17-40 percent of the waste consists of metal, glass, paper and rags, which can easily be recycled. In Karachi almost 96 percent of the waste is compostable, the highest proportion of any Asian city (Cointreau, 1982). Organic fertilizers, which are greatly in demand, could be easily produced with such large quantities of compostable material. The waste could also be used in biogas production.

Fortunately, radioactive wastes are not a major problem in Pakistan because there are only two nuclear reactors, one near Karachi (KANNUP) and the other near Islamabad (Kahoota). Only KANNUP is used to generate electricity for domestic consumption. Considerable care seems to be observed in disposing of wastes from the plant because no radioactive accumulation has been found in seaweeds near the site (GOP, 1986). Medical radioactive wastes may enter waste disposal systems but there is no significant indication or research that should raise any concerns.

Air Pollution

Air pollution is probably the most widely publicized and most visible environmental tragedy of urban Pakistan. Without emission standards and a large number of poorly maintained vehicles and factories, Pakistan's urban air quality is among the worst in the world. The average Pakistani vehicle emits 20 times as many hydrocarbons, 25 times as much carbon monoxide and 3.66 times as much dinitrogen oxide as the average vehicle in the United States (Tariq, 1989). Ambient air quality statistics indicate that from 1979 to 1982, Lahore had the highest suspended particulate matter, 745 micrograms per cubic meters, in the world. It is still number one in this regard, but recent data indicates that the level has fallen to 496 micrograms per cubic meters (World Bank, 1992).

Release of large quantities of sulfur dioxide and nitrogen oxides are causing acidic precipitation which has already damaged several of Pakistan's historic monuments. Approximately 0.32 million tons of sulfur dioxide are released into the atmosphere each year. Jehangir's tomb in Lahore and the ruins of Taxilla are among the more seriously damaged sites. The government is now trying to rehabilitate these priceless monuments. The problem should, however, be attacked at the root by imposing emission regulations on coal combustion, cement factories and other industrial establishments that are releasing the noxious gases.

Macroscopic Pollution Concerns:

Ozone Depletion and the Greenhouse Effect

Global atmospheric changes are often given secondary consideration and credibility by most governments. The greenhouse effect, caused by an accumulation of carbon dioxide, methane and other thermally absorptive gases was a major point of contention at the Rio Summit. Global warming, and subsequent dangers of sea levels rising because of polar melting, are exceedingly controversial issues about which there is continuing dissent in the scientific community (For a brief and thorough discussion: see Abelson, 1990 & Easterbrook, 1992). Developing countries repeatedly assert that they contribute only 34 percent of the total of greenhouse gases whereas the developed world which has only one-fourth of their population contributes the rest (OECD, 1991). Pakistan, for example, contributes only 0.29 metric tons per capita compared to a whopping 19.67 tons from the United States. However, the World Resources Institute (Developer of the Greenhouse Index) warns that many of these statistics are deceptive because traditional fuels are not included in the evaluation. In Pakistan, traditional fuels are the chief fuel source of 90 percent of rural households. Pakistan's livestock produce 1.7

million tons of methane annually, the seventh largest contribution in the world (W.R.I., 1992).

Pakistan and other agricultural countries are especially vulnerable to global climatic changes because even small climatic fluctuations can have a devastating effect on crop yields. The Worldwatch Institute and UNEP have ranked Pakistan as the sixth most vulnerable country to sea level rise (Jacobson, 1990 & UNEP, 1989). This is because a permanent sea level rise of even a few meters would be enough to inundate most of Karachi. The Additional Secretary for Urban and Environmental Affairs of Pakistan, Mr. Zulfiqar Qureshi, hopes to institute emission standards by law within the next two years (Qureshi, Z. p. comm., August 20, 1992). However, the enforcement of these standards is still quite uncertain considering the high degree of corruption in the police force.

One atmospheric problem which has received considerable attention on a global scale is the depletion of the ozone layer. The scientific evidence supporting the depletion of ozone in the stratosphere, and the increasing incidence of skin cancer caused by high infiltration of UV rays is very strong. The signing of the Montreal Protocol in 1988, which asserts that all signatories will try to phase out the production of chlorofluorocarbons (CFCs), the chief depletion culprits, by 1999, was a pivotal achievement in environmental history (For a detailed discussion see: Benedick, 1991). Pakistan contributes approximately 6,000 tons of CFCs annually to the atmosphere. This is about the same as Brazil's contribution. A proper disposal of old appliances and cooperation from all relevant industries is essential in preventing a global health crisis of unprecedented magnitude. Pakistan also ratified the Montreal Protocol and it is expected that the use of ozone depleting chemicals will stop by the target date. Pollution of the land, water and air are all crucial problems in Pakistan. Progress is indeed being made but its pace needs to be accelerated. International cooperation and a growing sense of responsibility and awareness within the populace are indeed positive signs for a brighter, less squalid future.

Energy, Resource Exploitation And Environmental Policy

Energy and the environment are inextricable from each other since it is humankind's relentless urge for energy and power that often leads us to an over-exploitation of natural resources and subsequent degradation of the environment. Energy is also a major point of contention between the developed and underdeveloped areas of the world. The South is constantly complaining of the inordinately large quantum of energy consumption per capita in the North, while the North criticizes the South for its apathy towards environmental degradation.

As the Third World's aspirations for development rise, the need for energy rises rapidly, specially with growing population pressures. Pakistan currently has an energy consumption of about 881 trillion BTUs (British Thermal Units) which is ranked at 103 in the world in terms of per capita consumption (UNSO, 1989). Thus, despite its large population, Pakistan is consuming a rather small proportion of the world's energy. In rural Pakistan, a 10-kilowatt hydroelectric plant provides enough power for about 100 families, compared with just two families in the United States. The use of local materials, voluntary labor and communal administration has kept the cost of hydroelectric facilities remarkably low: \$350-\$500 per kilowatt. A more typical cost for a small scale hydro project in the US is \$2,000-\$3,000 per kilowatt (Brown et al., 1985). However, the consumption rates are rapidly increasing while production rates lag sluggishly behind. Therefore energy conservation statistics may be deceptive. For example, Pakistan's energy consumption in relation to its GNP is one of the highest in the world (PMEUA, 1991). The result is that the Water & Power Development Authority (WAPDA) has to frequently engage in "load shedding." Moreover, from an environmental perspective what matters most is not the amount of energy one uses but that it is used efficiently and the means to harvest the energy do not have any ecologically dangerous repercussions.

Hydroelectric Energy

Hydroelectric energy is perceived in Pakistan to be one of the most environmentally sound ways of harnessing electricity. Ironically, one of the first environmental disputes in the United States occurred over the construction of a dam in the Hetch Hetchy valley of California in 1892. The Sierra Club, one of America's prominent environmental organizations, was formed by the great naturalist John Muir in opposition to this dam project. Pakistan has three large dams with hydroelectric stations: Tarbela, Mangla and Warsak. There are several smaller establishments which also provide a small amount of electricity to rural areas. Tarbela, on the river Indus, is supposed to be the largest earth-filled dam in the world. The total installed hydroelectric generating capacity is estimated to be 2897 MW. WAPDA estimates that only 11 percent of the total exploitable energy from the dams has been developed (PMEUA, 1991). Siltation rates are very high in the rivers and without adequate dredging, Tarbela may become silted up in about 50 years (El-Hinnawi, 1987). Two more dam projects, at Kalabagh and Basha, are currently being considered. There is now a lot of opposition to the projects mainly because several hundred villages would have to be dislodged and there would be an inundation of hundreds of acres of valuable forests. Hydro stations will probably continue to provide a substantial amount of power for domestic use. How-

ever, the development of future projects will now be much more arduous because people are beginning to appreciate the value of open forests and rangelands. Moreover, dislodging habitations has become increasingly difficult.

Nuclear Energy

Only 0.5 percent of Pakistan's energy needs are met through nuclear fission. The only reactor which is used to provide energy for domestic needs is the Karachi Nuclear Power Plant (KANUPP). The hazards of nuclear energy often occlude its environmental benefits. Firstly, a very small amount of space is required to establish a power plant, compared to hydroelectric schemes which require large land areas. Secondly, no deforestation is involved and there is a negligible discharge of noxious gases into the atmosphere. Uranium, the raw fuel for nuclear energy production is found in abundance on earth. It is estimated that at current energy consumption rates, the world's supply of uranium-235 would last at least 200 years. If breeder reactors or new "second generation" reactors which can utilize uranium-238 are used, then the world's supply of uranium would be enough to sustain the world for several thousand years (Miller, 1991). The new generation of reactors which was being strongly supported by the Bush Administration is supposed to be so safe that one design has been named PIUS: Passive Inherent Ultimate Safe! The problem that persists, regardless of the design, is of nuclear waste disposal. The most effective and inexpensive way is to bury the wastes in lead containers, which is practised in most countries, including Pakistan. A departmental report of the Karachi power plant shows that the plant releases only 1-2 percent of the permissible allowance of radioactivity into the environment [approximately: 4 mREM annually] (GOP, 1986). Arguments against nuclear energy have now become very effective, specially after accidents such as Chernobyl. For example, Sweden has passed a referendum to close all 12 of its reactors by 2010 (Lenssen, 1992). Alvin M. Weinberg, an eminent physicist, who was a member of the team that built the first nuclear reactor, argues that nuclear energy should currently be chosen as a "Faustian bargain," while efforts continue to find better sources of energy that can easily be harnessed (Weinberg, 1991).

Nuclear power has now become such an intense political issue of international significance that a proliferation of nuclear power plants in Pakistan seems very unlikely. There are plans for constructing a new plant near Chashma (through Chinese and French assistance) in Sindh but American opposition has made the implementation of these plans exceedingly difficult.

Natural Gas

After oil, natural gas is the second largest source of energy for urban Pakistan. Natural gas, which consists mainly of methane, contributes far less carbon dioxide to the atmosphere as compared to coal, and is, therefore, a preferable source of energy. The nation's current reserves, primarily in Baluchistan (Sui) and in Sindh, are estimated to be about 19.5 trillion cubic feet. However, at current consumption rates, these reserves are only expected to last for 16 years (Pak. NCS, 1992). Therefore, alternate sources are a necessity.

Biogas, obtained by converting organic wastes to methane, is a source of energy which is being given considerable attention. It is a renewable source that provides an innovative way of recycling animal excrement, which often causes sanitary problems in rural areas. Although 4,000 units for biogas production have been installed in Pakistan, only a few are functional, mainly because people do not seem to be interested or do not want to take the trouble of collecting enough animal wastes to make the plants operational. There is also a dearth of sufficient education concerning the maintenance of such operations. In contrast, India has over one million fully functional biogas plants (Pakistan's NCS, 1992).

Oil & Coal

Almost 90 percent of Pakistan's oil is imported. Most of the oil is used in motor vehicles and for some heating and lighting appliances. The demand for oil is increasing by 10-12 percent per annum. Economic pressure is thus mounting on the government to conserve this fuel and to find alternate sources of energy. Small quantities of oil are found on the Portwar plateau. There are large reserves of oil in Baluchistan but most of them are too deep to allow a profitable exploitation of this resource. Pakistan's automobiles still consume leaded gasoline. However, Pakistan State Oil (PSO) has recently launched a new low lead brand called "Premier Plus." The same company has also produced an environmental awareness documentary that was broadcast on national television on Earth Day, 1992 (The Nation: Lahore, June 7, 1992).

Pakistan's total coal reserves are estimated at 440 million tons. Most of the coal has a very high sulfur and ash content and is thus very damaging to the environment. The government is still inclined toward the development of coal as a source of energy based on claims that the installation of electrostatic precipitators and fluid bed technology can sufficiently reduce the emissions of noxious gases from burning coal (Kureshi, 1988 & PMEUA, 1991). Mining operations of coal and other minerals are presently too sparse to cause any significant environmental damage.

Nonconventional Sources

The government is paying considerable attention to solar energy, specially in villages. So far 18 solar power stations with a capacity of 389 KWH have been installed. The costs of installation are, however, too high for commercial enterprises to launch an industry of selling solar panels for urban consumption. Wind energy, hydrogen and other renewable sources are yet to be tapped on a large scale. Most economists anticipate that as technological innovations increase, the cost of nonconventional sources will decrease and a market for solar, wind and other ecologically salubrious sources will become profitable (For a detailed discussion see: Ferrari et al., 1991).

Energy conservation is a major issue which is now being addressed on a national scale through an organization called ENERCON, which has twice been nominated for the International Energy Conservation Award. Recently, a "Building Energy Code for Pakistan" was launched by ENERCON. At present Pakistan has an energy intensity ratio of 1.4, one of the lowest in the world. Proper implementation of the code could save Pakistan 2,000 MW of power generation capacity over the next 20 years (News International: Islamabad, August 13, 1992).

The Forests

Pakistan has only three to five percent of its area under forests and deforestation continues rampantly in many areas. Most of Pakistan's forests are coniferous and are found in the northern provinces. Common tree species include deodar, blue pine, spruce and firs. There are strips of mangroves near the coast (approximately 260,000 ha) and some juniper forests in Baluchistan. The World Resources Institute estimates that about 9,000 hectares of forests are cut annually in Pakistan and about 7,000 hectares are reforested (WRI, 1992). The Food and Agricultural Organization, which has launched a major reforestation program in Pakistan, estimates that 20.9 million cubic meters of fuel wood are consumed annually in Pakistan. By the year 2000, this requirement is expected to increase to 27.5 million cubic meters. Deforestation has caused extensive land erosion in the mountainous areas of the country. Fortunately, the disastrous effects of deforestation are now salient features of school syllabi and massive reforestation programs are gaining strength in the country. Massive tree planting schemes have been initiated by the government—notably the Punjab government's project in the Murree hills.

Biodiversity

Preserving the biodiversity of Pakistan's ecosystems is also a major concern. According to The World Conservation Union, Pakistan has 15 endangered mammal species; 25 endangered bird species; six threatened reptile species and eight

threatened plant taxa (WRI, 1992). Deforestation is destroying the habitat of creatures such as the snow leopard, which is also hunted extensively. The Indus River dolphin (*Patinista minor*) is one of the world's most endangered cetaceans. There are only about 400 of these fish left in the world, all of which are found in the Indus River in Southern Pakistan. The two most prominent ecosystems in Pakistan which show a high degree of endemism are the Chagai Desert of Southern Baluchistan and the Juniper Forests in the Northern parts of the same province. These forests contain some of the oldest trees in Asia (*Juniperus macropoda*). Pakistan has a prolific industry of medicinal plants. The Hamdard Foundation is among the prominent producers of herbal medicines in the country and several medicinal plants are grown exclusively by them. One of Pakistan's most important medicinal plants is *Ephedra procera*, a source of ephedrine, which is used extensively in alopatic cardiac drugs. Fortunately, many of the unique ecosystems which foster these organisms are being protected. ESCAP has ranked Pakistan fourth in terms of total protected area—approximately 7.29 million hectares, which is 9.4 percent of the country's total area (ESCAP, 1990). The management of the national parks and forests, however, leaves much to be desired.

The attitude of most people in Pakistan is still very anthropocentric. Biodiversity is not perceived as an economic problem as indicated by the World Conservation Union (McNeely, 1988). The complex relationship between energy and resource usage; plant and animal diversity and, finally, human prosperity is still quite vague to most Pakistanis.

Personal Perspectives

At the conclusion of my project, I felt quite ambivalent about Pakistan's environmental situation. The repugnant sights of impoverished and squalid settlements, polluted rivers, dense clouds of smoke permeating the air, stretches of deforested land and many other vistas of ecological degradation were very disturbing. However, the ray of hope amidst this gloom was the growing sense of awareness which I felt at various strata of society. The results of my survey (which is in the process of being statistically tabulated), shows in general that school children are not completely ignorant about environmental issues and are mostly keen and eager to know more and help in ameliorating the plight of the environment. The collective impression which I got was that the cognizance of environmental problems is now quite significant but that the enforcement of policies is not yet organized. The only sector in which there is a commendable degree of organization is in rural support programs. The Agha Khan Foundation's rural support program in Northern Pakistan has been successful in mobilizing hundreds of villages to community action. The villages have managed to save 34 million rupees (\$1.9 million),

enough to start a regional bank (Durning, 1989).

Several nongovernmental organizations (NGOs) are conducting similar programs to rehabilitate villages. Syed Ayub Qutab, a leading Pakistani environmentalist, who has been a consultant for UNESCO and the World Conservation Union, has now started an NGO which is also working to ameliorate the rural environment. His NGO receives assistance from the Swiss Development Corporation and several private donors. While describing the goals of his organization, PIEDAR (Pakistan Institute of Environment Development Action Research), Mr. Qutab mentioned that the key issue was to listen to the people's priorities and then to assist them accordingly. He said that foreign researchers often underestimate the ecological awareness of villagers. To support this argument he showed me a photograph where a Punjabi farmer had harvested a field with care so as not to disturb the nests of some tailor birds. He said that many farmers are very superstitious and believe that misfortune would strike them if they destroyed any birds and other animals (Qutab p. comm. August 25, 1992). Unfortunately, such superstitions do not extend to the usage of dangerous pesticides or fertilizers! Pakistani television is replete with advertisements for fertilizers and pesticides. Few of the adds show how the chemicals should be used with the necessary precautions.

I was very pleased to observe that many prominent industrialists and other "elite" are now becoming environmentally conscious. Syed Baber Ali, chief shareholder of Packages Ltd.; The Mir of Hunza; Dr. Pervez Hassan, Pakistan's leading corporate lawyer; Mian Iqbal Saigol, chairman of Saitex Spinning Mills and many other prominent figures are assisting NGOs such as WWF-Pakistan and the World Conservation Union. The World Conservation Union has worked in collaboration with the government to prepare the National Conservation Strategy of Pakistan and the country's national report to UNCED. The National Conservation Strategy (NCS) is a detailed document which proposes several solutions to Pakistan's environmental problems. The enforcement of the policies prescribed by the NCS remains to be seen.

Many NGOs are working towards promoting environmental awareness. An organization initiated by Ms. Chanel Khan called the Third Vision International Foundation, is dedicated to promoting mass awareness programs. Recently, the organization assisted USAID in preparing an hour-long docudrama on environmental issues in Urdu (the vernacular language). The video is now being distributed in villages to promote awareness. There are over 8,000 registered NGOs in Pakistan. Most of them are concerned with social welfare issues, although some are now directing their attention towards environmental concerns which are often the cause of many socioeconomic problems. The government is also incorporating environmental topics in school syllabi starting from the third grade. When I

visited Mr. Zulfiqar Qureshi, Additional Secretary for Environmental Affairs, he proudly showed me a stack of school books which covered ecological topics. The media is also being educated in this regard. A major seminar on environmental awareness was held in Karachi in 1988 to urge the Pakistani communication media to increase environmental coverage (Haq et al ed., 1991). There are now regular advertisements on television and in the press which reflect the urgency of dealing with environmental crises in Pakistan.

In my opinion a very effective way of promoting environmental awareness is through religious establishments. Religion is of great importance in Pakistani culture. Every week, the Imam of a mosque gives a long sermon before the Friday prayers. If environmental issues were discussed at such forums, the effect on a strongly faithful populace would indeed be great. There are several precedents in this regard. Environmental awareness programs have been launched by the Conferencia Nacional dos Bispos do Brazil; the World Council of Churches in Switzerland and the Melanesian Council of Papua New Guinea, to name a few (Viera, 1985). Islam, the religion of more than 90 percent of Pakistan, advocates environmental conservation like most other religions: "And when it is said unto them: 'Do not corrupt or pollute the Earth,' they say 'we are reformers.' Behold, they are indeed mischief-makers but they perceive not" (The Quran II: 8-12).

Pakistani scientists are now devoting considerable time and attention to environmental research. At Peshawar University a graduate degree program in Environmental Management has been established. Scientists at Karachi University and The Qaid-e-Azam University (QAU) in Islamabad are also doing considerable research on environmental issues. Notably, Dr. Jaffery at QAU is engaged in analytical work to determine levels of pesticides in human hair and in aquatic ecosystems. Dr. Atta-ur Rahman, in Karachi, has established the Haaji Ibrahim Jabbar Institute which has won international acclaim. The Institute concentrates on biomedical sciences and ethnobotany. Packing material and many "extraneous items" are used in the Institute to build furniture and to conserve astonishing amounts of material and energy. Scientists at PCSIR and the National Institute of Health are also doing environmental research. Foreign development agencies are also helping in establishing research facilities. The Japanese International Cooperation Agency (JICA) has recently funded a Geological Observatory in Chak Shehzaad. Plans for an environmental research station are also being considered (Ahmed, S: JICA, Islamabad, p. comm., August 22, 1992). Concerning foreign assistance, the environment minister, Mr. Anwar Saifullah, emphatically stated that Pakistan did not attend the Rio summit merely to look for more aid: "We went because we felt a need to improve our environment." Mr. Saifullah said that he wanted to dispel the common belief that Pakistan and the other developing na-

tions are simply international "beggars." (A. Saifullah: p. comm., Islamabad, August 24, 1992).

The role of law in regulating environmental policies needs great attention in Pakistan. There are several perfunctory provisions in Pakistan's legal code for environmental offenses. I was surprised to find the stipulation of a fine, even for noise pollution: 100 rupees for "using horns with shrill alarming sound or for driving vehicles without silencers." For those who have visited Lahore, this legislation appears quite comical because the rickshaws of the city, as a tradition, do not have silencers or the drivers purposely remove the silencers in order to attract attention. In 1983, an Environmental Protection Ordinance (No. XXXVII, 1983) was enacted during the rule of President Zia-ul Haq. However, as the additional secretary for environmental affairs, Mr. Zulfiqar Qureshi, himself confessed, enforcement of environmental legislation is nonexistent. Mr. Qureshi is nevertheless hopeful that within the next three years concrete measures will be taken to regulate environmental laws. According to Mr. Anwar Saifullah, minister of environmental affairs, there is now a "green group" within the Pakistani parliament which has started an organized movement to lobby for environmental legislation. The future of Pakistan's environment is, thus, at a critical stage where strong choices must be made and action should, as always, take precedence over rhetoric.

An Economic Epilogue

After traversing many convoluted paths one usually arrives at the core of most development problems—money! A common argument which I encountered while talking to Pakistanis about environmentally friendly policies, was that money matters more. For too long the world has separated development and the environment into what the World Bank now calls "a false dichotomy" (W.B., 1992). It is important to dispel the fears in Pakistani minds that the environment can only be saved by incurring large economic costs. Robert Solow, a Nobel laureate in economics at the Massachusetts Institute of Technology (MIT), recognized as early as 1970 that "pollution is also an economic problem" (Solow, 1970). To a certain point it is economically productive to prevent pollution and to invest in waste clean-ups. Businesses, all over the world, are now realizing that many environmental products would, in fact, save them tremendous amounts of money in the long run (See Shea, 1989 & Lemonick, 1992). So let us not palter and falter over monetary trivialities. This does not mean that we should be rash, but that an earnest attempt should be made to develop the economy with profound regard for our environment. This may sound rather hackneyed but it is truly crucial. The

results of such development will certainly be more sustainable and will promise a secure future for us and for the generations to come.

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Japan's Role in ASEAN

by Omer Nabi

Japan is largely dependent on a stable regional environment for its prosperity. Due to Japan's heavy reliance on oil, resource imports and overseas markets, it requires a stable and secure regional environment in order to ensure continued economic growth. Furthermore, for the promotion of regional stability, Japan has always felt the need to boost relations with its regional neighbors, particularly with the countries of the Association of Southeast Asian Nations (ASEAN). As a result, Japan has paid considerable attention to the expansion of ties with the ASEAN states, particularly since the explosion of anti-Japanese protests in Southeast Asia during former Japanese Prime Minister Tanaka's tour of the region in 1974. Moreover, former Prime Minister Fukuda's enunciation of the Fukuda Doctrine in 1977 further strengthened Japan's politico-economic role vis-a-vis the ASEAN states. Thus, it is difficult to overstate the importance of ASEAN to Japan, and vice-versa.

Japan's economic role in Southeast Asia, particularly in ASEAN, has expanded enormously over the past 50 years. Japan's economic involvement with ASEAN started with the war reparations it paid to the region in the 1950s, but has since expanded to include: disbursements of substantial levels of overseas development assistance to the region; government and private Japanese investment in ASEAN; and increasing levels of trade between Japan and the region. This paper examines Japan's economic links to ASEAN with regard to aid, trade and investment, and determines, moreover, how these links impact bilateral political relations.

Japan's Official Development Assistance to ASEAN

Japan's foreign aid program, known as the Official Development Assistance (ODA), dates back to the mid-1950s when Japan began paying post-war reparations to the countries of Southeast Asia that had fallen victim to its neo-colonial designs. In 1954, Japan first pledged its support for the Colombo Plan, thereby

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initiating the Japanese government's program of assistance and technical cooperation with the ASEAN states (Ministry of Foreign Affairs 1984, 2). Japan disburses ODA to ASEAN on a bilateral basis, as well as through multilateral channels by contributing to various international institutions for financing development (Takano, 51). Japan's ODA program is composed of grants, loans and technical assistance.

In regards to ASEAN, the Japanese ODA program has moved through a number of phases. Starting with the reparations, Japanese ODA expanded in the 1960s and was used almost exclusively for export promotion (Zhou, 341). A large portion of this aid went to the ASEAN states, because the Japanese government considered this region as an increasingly important potential market for its products. Another stage emerged shortly after the oil crisis of 1973, when Japan became sensitive to the need to secure energy resources (Orr, 41). As a result, Japanese ODA was further directed towards the ASEAN states, not only because many of them are important sources of raw materials for Japan, but also because they are located along the strategic shipping routes vital to Japanese economic interests. Thus, Japan has come to regard the ASEAN countries as "*Nenji Kyoyokoku*, countries which automatically receive a consistently high volume of ODA in line with Japanese interests" (Ibid, 48).

As a result, Japan, which in 1990 became the largest donor of aid in OECD's DAC, has also been the ASEAN region's largest donor since 1977 (Rowley, 10 October 1991, 67). This is evident in the following table which clearly indicates that Japan has disbursed more funds to each ASEAN country than any other donor:

Share of DAC Countries in Total Bilateral ODA (1984)

| <u>ASEAN</u> | <u>Japan</u> | <u>USA</u> | <u>FRG</u> |
|--------------|--------------|------------|------------|
| Philippines | 45% | 36% | — |
| Thailand | 65% | 10% | 7% |
| Malaysia | 82% | — | — |
| Indonesia | 31% | 14% | 17% |
| Singapore | 73% | — | 12% |

—Orr, 48.

Japan has traditionally emphasized Asia as its most important recipient of ODA. Due to recent international pressures, however, Japan has expanded the scope of its ODA program to further globalize aid—yet, Asia is still the leading recipient, receiving over 60 percent of total Japanese ODA. Moreover, within Asia, the ASEAN states continue to receive over 30 percent of total Japanese ODA. Thus,

the ASEAN countries are heavily dependent on Japan for aid as seen from the 1988 figures in the table below:

| <i>Japan's Aid Disbursements to ASEAN</i> | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| <i>(given in US\$millions)</i> | | | | | |
| <u>Country</u> | <u>1985</u> | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> |
| Indonesia | 161 | 161 | 707 | 985(67) | 1145 |
| Philippines | 240 | 438 | 379 | 535(68) | 404 |
| Thailand | 264 | 260 | 302 | 361(70) | 489 |
| Malaysia | 126 | 38 | 276 | 25(26) | 80 |
| Singapore | 8 | 15 | 11 | 11(54) | 11 |
| Total | 799 | 912 | 1675 | 1920 | 2129 |
| % Total Japanese Aid | — | 24 | 32 | 30 | 32 |

() = Percentage dependence on Japan as an aid donor
—Holloway, 206-208.

The above table illustrates that in 1988, all the ASEAN states, with the exception of Malaysia, were dependent on Japan as an aid donor by over 50 percent. The table also indicates that Indonesia was the largest aid recipient within the ASEAN, securing over one billion dollars in Japanese bilateral aid in 1989. In fact, Indonesia is a prime example of Japan's emphasis on energy-related capital projects for the development of natural resources much needed by Japan. However, the flip-side of Japan's donor role towards Indonesia is that 36 percent of Indonesia's \$41 billion debt is owed to the Japanese government or Japanese private institutions. Thus, it is in Japan's interests to strengthen Indonesia's economic development and, therefore, its ability to make repayments (Holloway, 97). On a broader ASEAN level, however, it must also be noted from the above table that total Japanese ODA between the period 1985-89 increased by over 200 percent, reaching slightly over two billion dollars in 1989—sufficient proof of Japan's commitment to the economic development of ASEAN, and its efforts to expand the overall level of its ODA program.

Japanese ODA to ASEAN also includes a substantial amount of technical assistance and other forms of technology transfer. When Zenko Suzuki took the office prime minister in Japan in 1980, the need for strengthening ASEAN technical training programs in a number of sectors was emphasized. Thus, by 1986, the Japanese government constructed five technical training centers throughout ASEAN designed to meet the basic needs of each country (Orr, 49). A headquarter training center was also established in Okinawa. The purpose of these training

centers is to transfer new technologies to ASEAN, as well as train Southeast Asians in management skills. Thus, these centers complement Japan's ODA grant and loan-based projects, much to the benefit of both Japan and ASEAN. The following table gives a breakdown of Japanese ODA to ASEAN into capital aid, technical aid and government loans in 1989. It can be observed that a reasonable portion of Japanese bilateral ODA, over 15 percent, was devoted to technical aid:

Japan's Bilateral ODA to ASEAN (1989)

(given in US\$millions)

| | <i>Capital Aid</i> | <i>Technical Aid</i> | <i>Govt. Loans</i> | <i>Total</i> |
|---|--------------------|----------------------|--------------------|--------------|
| ASEAN | 270(12) | 335(16) | 1526(72) | 2130(100) |
| ()=Percentage of total Japanese ODA to ASEAN | | | | |
| —Wong, 310. | | | | |

Criticism and Political Implications of Japanese ODA to ASEAN

Although Japan's ODA policies have been tailored to uplift the levels of economic development and improve the living standards in the ASEAN countries, they have not been devoid of criticism. Questions have been raised as to the efficacy of continuing to channel loans to recipient-countries that are already debt-ridden and, thus, becoming more dependent on Japan rather than achieving the policy aim of greater economic development. As evidence in the table above, government loans constituted nearly 72 percent of total Japanese ODA to ASEAN in 1989. This, coupled with the prospects of continued appreciation of the yen—the *endaka* phenomenon—has generated grave concern regarding the potential accumulation of serious external debt problems, especially for the weaker economies (Koppel, 1045).

Japan has also been the target of criticism for what is viewed as aid “tied” to Japanese commercial interests. Charges have been made that Japanese ODA carries an obligation, whether explicitly stated or not, that the money be spent in a manner so as to benefit Japanese commercial interests (Rowley, 10 October 1991, 68). Responding to such pressures, the Japanese government has reduced the levels of tied ODA, but not to the satisfaction of ASEAN. For example, officials from the Philippines have pointed out that Japanese experts and consultants install design specifications that only Japanese firms can supply, often at very high costs, thereby promoting the interests of Japanese private industry (Koppel, 1051). Moreover, charges have also been made that local ODA-based projects are often comprised of contractors who are heavily supported financially by businessmen.

In addition, another complaint often lodged against Japanese ODA is that it is

not flexible. For example, OECD loans have to mostly go to public-sector activities such as infrastructure and irrigation, while Export-Import bank loans are directed typically towards power and shipping projects (Koppell, 1052). A common ASEAN grievance is that such practices are structured to further pave the way for Japanese investment and, as such, there is concern regarding a Japanese economic takeover of the region's economies. On the other hand, Japan is trying to address these problems through attempts in improving its ODA policies. For example, the Japanese government has recently decided to create a new ASEAN-related fund for low-interest loans in order to promote joint venture projects centered on advanced technology (Orr, 51).

In fact, Thailand prefers to receive aid—generally, a mix of grants and commercial credits—from Japan, than from the Asian Development Bank (Koppel, 1047). This is a clear indication that Japanese ODA, despite having some problems, does foster regional development to a great degree.

It is important to note that being the largest aid donor to ASEAN, Japan, like any important donor, has a lot of political and economic leverage with the ODA funds. This has politicized the ODA program, enabling the Japanese government to employ it as a tool to attain its foreign policy objectives. As stated earlier, Japanese ODA in the 1960s was largely used to promote export markets, while in the 1970s it was used to secure natural resources in the ASEAN states. Moreover, Japan has also used its ODA program to relocate some of its “‘resource-prone,’ labor-oriented’ and ‘space demanding’ industries” to the developing countries of Southeast Asia, including the ASEAN states (Wong, 32). More recently, Japan, responding to Western pressures, has used ODA as a means of recycling its financial surpluses (Rowley, 67).

In recent years, Japan has extended aid to certain countries bordering “‘areas in conflict’ thus introducing a manner of strategic assistance” (Orr, 47). Thailand is a good example of an ASEAN nation receiving ODA from Japan for reasons of strategic regional security. Following the Vietnamese invasion of Cambodia in 1978, there was an influx of refugees in Thailand, as well as occasional border skirmishes. This was draining the Thai economy, so Japan stepped up aid to share part of the burden of regional security. Thus, Japan also uses its ODA program as a substitute for “an active military role in international order” (Rowley, 10 October 1991, 68).

As Japan has taken the role of a leading economic power, it is employing its ODA program to further expand its political role more actively in the international arena (Zhou, 342). As a result, the Japanese government has used ODA to promote ideology and regional security. This is clear from the Japanese decision to freeze ODA loans to the People's Republic of China (PRC) after the Tiananmen

massacre of June 1989 (Nikon Keizai Shimbun 1991, 46). Furthermore, after the US withdrawal of Vietnam in 1976, Japan, in line with the Fukuda Doctrine, attempted to use ODA to "moderate Vietnam's policy, particularly with respect to ASEAN" (Sudo, 515). However, when Vietnam invaded Cambodia in 1978, this policy was discontinued. More recently, Japan has been attempting to bring about peace in Cambodia—an action clearly in ASEAN interests. Once again, Japan has used ODA as a foreign policy tool by suggesting that it will resume aid to Indochina once the conflict has been resolved (Heibert, 68).

Thus, Japan has used its ODA program to serve its own commercial interests, the economic interests of the ASEAN states by pumping funds for development, and regional, as well as global, interests by employing ODA in an attempt to promote peace and stability in many parts of the world, particularly in Asia.

JAPANESE TRADE WITH ASEAN

Japan's initial interest in Southeast Asia in the postwar era was motivated primarily by economic considerations. Due to the proximity of Southeast Asia, Japan viewed the resource-rich ASEAN states as convenient suppliers of raw materials and other primary products to foster the production needs of its economy. With the emergence of Japan as an economic power in the 1970s, trade relations between Japan and the ASEAN states have continued to flourish. As a result, in recent decades, there has been a trade pattern of mutual interdependence between Japan and the ASEAN states. Over the years, this trade pattern has earned recognition by the governments of both Japan and ASEAN member-nations, further reinforcing trade and economic interaction between them. The following table illustrates how trade has expanded between Japan and the ASEAN states in the past few decades:

| <i>ASEAN Trade with Japan</i> | | | | | | |
|-------------------------------|--------------------------------|-------------|-------------|-------------|-------------|----------------|
| | <i>(given in US\$millions)</i> | | | | | |
| | <u>1965</u> | <u>1970</u> | <u>1975</u> | <u>1980</u> | <u>1991</u> | <u>1965-91</u> |
| <i>Indonesia:</i> | | | | | | |
| Imports | 150 | 640 | 3430 | 13250 | 12780 | 85 |
| Exports | 210 | 320 | 1450 | 3440 | 5620 | 27 |
| <i>Thailand:</i> | | | | | | |
| Imports | 130 | 190 | 720 | 1130 | 5260 | 40 |
| Exports | 120 | 450 | 960 | 1920 | 9450 | 43 |
| <i>Singapore:</i> | | | | | | |
| Imports | 30 | 420 | 400 | 1520 | 3420 | 114 |
| Exports | 220 | 90 | 1520 | 3930 | 12230 | 102 |

| | <u>1965</u> | <u>1970</u> | <u>1975</u> | <u>1980</u> | <u>1991</u> | <u>1965-91</u> |
|--------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| <u>Malaysia:</u> | | | | | | |
| Imports | 260 | 420 | 690 | 3500 | 6460 | 25 |
| Exports | — | 70 | 170 | 570 | 2500 | 109 |
| <u>Philippines</u> | | | | | | |
| Imports | 250 | 530 | 1120 | 1960 | 2350 | 9 |
| Exports | 240 | 450 | 1030 | 1609 | 2660 | 11 |

It can be observed from the above table that both exports to and imports from Japan have increased dramatically in most ASEAN states. To some degree, the table also illustrates the economic dynamism of individual ASEAN countries. The multiple increase in trade with Japan coincides with the economic progress that each ASEAN country has achieved since 1965. The above chart, however, must be read with caution since the dollar figures have not been adjusted for global inflation between 1965 to 1991. Therefore, in real dollar terms, the multiple increase over this period would be much less.

During the first couple of decades after the formation of ASEAN in 1967, the region's exports to Japan were mostly comprised of primary products and other natural resources. In recent years, as trade has expanded, Japan is importing more and more manufactured goods from the ASEAN states. The composition of Southeast Asia's exports to Japan in 1985 can be seen in the following table:

Composition of Japanese Imports from Southeast Asia, 1985:

| | | |
|-----------------------------|-----|------------------------|
| Foodstuff..... | 12% | |
| Textile Materials..... | 1% | |
| Metals..... | 6% | Unfinished products as |
| Raw Materials..... | 8% | % of total Japanese |
| Mineral Fuel..... | 49% | imports from S.E.Asia= |
| | | 85%. |
| Other (non-manufactures)... | 9% | |
| Chemicals..... | 2% | Finished products as |
| Machinery..... | 4% | % of total Japanese |
| Others (manufactures)... | 9% | imports from S.E.Asia= |
| | | 15% |

—*Nihon Keizai Shimbun* 1986, 293

The table clearly indicates that in 1985, mineral fuels, food stuff, raw materials and other natural resources constituted around 85 percent of total Japanese

imports from Southeast Asia. Moreover, mineral fuels alone comprised almost 50 percent of Japanese imports from the region. This is obvious evidence that, in the past few decades, Japan has relied on the nations of ASEAN for food, raw materials and energy resources. Also, in 1985, that exports from Southeast Asia to Japan totaled over \$30 billion (*Nihon Keizai Shimbun* 1986, 293). By 1990, however, these figures had escalated to nearly \$55 billion (*Nihon Keizai Shimbun* 1991, Appendix). Along with this trade expansion, the composition of Japanese imports from Southeast Asia had also altered in the following manner:

Composition of Japanese Imports from Southeast Asia, 1990:

| | | |
|----------------------------|-----|------------------------|
| Foodstuff..... | 14% | Unfinished products as |
| Metals..... | 6% | % of total Japanese |
| Raw materials..... | 12% | imports from S.E.Asia= |
| Mineral fuel..... | 26% | 61% |
| Non-metallic minerals..... | 3% | |
| Textile Products..... | 10% | Finished products as |
| Chemicals..... | 3% | % of total Japanese |
| Machinery..... | 13% | imports from S.E.Asia= |
| | | 39% |

—*Nihon Keizai Shimbun* 1991, 258.

It is evident from the above chart that by 1990, the level of Japanese imports from Southeast Asia, as a percentage of total Japanese imports from the region, fell to 60 percent, a decrease of approximately 25 percent since 1985. Meanwhile, the portion of Japanese imports of manufactures from the region increased. Part of this dramatic rise in Japanese imports of manufactured products can be explained by the appreciation of the yen (Koppel, 1045). However, some of this increase can also be attributed to the rapid economic growth of the ASEAN countries and their expansion of industries in textiles, machinery and other manufactured products.

In fact, due to the recent growth of their economies, the ASEAN states have become important overseas markets for Japanese goods, especially in light of "the rising tide of trade protectionism in the United States and Europe, European Community integration in 1992,...[and] free market arrangements between the United States and Canada, Mexico and other American economies." (Wong, 309) This has resulted in Japan moving closer towards ASEAN in economic terms so that by 1991, the ASEAN countries collectively accounted for almost 25 percent

of total Japanese trade, placing third as a trading partner of Japan after the US and the EC. Moreover, due to its limited natural endowment and relatively small domestic market, trade expansion will continue to be decisive in Japan's economic growth and prosperity (Zhou, 343). Therefore, solid trade relations with the ASEAN states are vital to Japan's economic interests.

Likewise, the countries of ASEAN have also become heavily dependent on Japan for trade, especially as importers of Japanese products. For their industrialization, the ASEAN states are increasingly relying on Japan for capital equipment and components (do Rosario, 1 August 1991, 57). As a result, machinery export from Japan to ASEAN has recently been extremely strong. For example, in 1990, 69 percent of total Japanese exports to ASEAN were machinery and equipment (Holloway, 204). Moreover, according to MITI, Japanese exports of machines such as "cars, engines, semiconductors, and machine tools comprised almost three quarters of the 27 percent growth of exports to Asia in the first six months of 1991" (do Rosario, 1 August 1991, 57). The following table illustrates trade with Japan as a percentage of each ASEAN country's total trade, as well as Japan's ranking as a trading partner in 1991:

| <i>Japan ASEAN Trade: The ASEAN Perspective (1991):</i> | | | | |
|---|-----------------|---------------------|-------------------|-------------------|
| <i>Country</i> | <i>to Japan</i> | <i>from Country</i> | <i>from Japan</i> | <i>to Country</i> |
| Indonesia | 37% | 1st | 24% | 1st |
| Singapore | 9% | 3rd | 21% | 1st |
| Thailand | 18% | 2nd | 29% | 1st |
| Malaysia | 16% | 3rd | 26% | 1st |
| Philippines | 20% | 2nd | 19% | 2nd |

Clearly, Japan is an exceedingly important trading partner for all ASEAN countries. The overall trade pattern between Japan and ASEAN during the decade of the 1980s can be observed in the following diagram:

| <i>Japan's Trade with ASEAN, 1984-1990</i> (given in US\$billions) | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| | <u>1980</u> | <u>1981</u> | <u>1982</u> | <u>1983</u> | <u>1984</u> | <u>1985</u> |
| <i>Imports from Japan</i> | 13 | 15 | 15 | 15 | 14 | 11 |
| <i>Exports to Japan</i> | 21 | 21 | 19 | 17 | 18 | 18 |
| <i>Total Trade</i> | 34 | 36 | 34 | 32 | 32 | 29 |
| <i>Balance of Trade</i> | 8 | 6 | 4 | 2 | 4 | 7 |

| | <u>1986</u> | <u>1987</u> | <u>1988</u> | <u>1989</u> | <u>1990</u> |
|---------------------------|-------------|-------------|-------------|-------------|-------------|
| <i>Imports from Japan</i> | 12 | 16 | 21 | 26 | 33 |
| <i>Exports to Japan</i> | 13 | 18 | 21 | 25 | 28 |
| <i>Total Trade</i> | 25 | 34 | 42 | 51 | 61 |
| <i>Balance of Trade</i> | 1 | 2 | 0 | -1 | -5 |
| —Holloway, 205-6. | | | | | |

As seen above, between 1980 to 1990, Japan's trade with ASEAN substantially increased from \$34 billion to \$61 billion. However, whereas the imports from Japan significantly rose from \$13 billion to \$33 billion, ASEAN exports to Japan rose only modestly from \$20 billion in 1980 to \$28 billion in 1990, thus deteriorating ASEAN's terms of trade with Japan. ASEAN had enjoyed a trade surplus of \$8 billion with Japan in 1980, but this had turned into a trade deficit by 1989. This deficit continued to grow reaching over \$7 billion in 1991 (International Monetary Fund, 240-41). Moreover, the above table also reveals that Asian exports to Japan almost consistently fell between 1981 to 1986. This can partly be explained by the rapid decline in oil prices after the second oil shock of 1979 (Economist Intelligence Unit, 1982, 21). Another cause for this fall in exports can be attributed to the general slowdown in the world economy (Asian Development Bank, 41). The reason for the tremendous rise in ASEAN's imports from Japan, as stated earlier, is the region's dependency on Japan for its industrialization.

Trade Related Problems

One negative outcome of the expansion of trade between Japan and ASEAN is the rise of trade friction between them. Like other countries that have accrued trade deficits with Japan, ASEAN has accused Japan of "unfair" trade practices. In the early 1970s, Japanese firms were seen as dumping goods in Southeast Asian markets, stirring a lot of resentment in ASEAN, eventually exploding in "street riots protesting Prime Minister Tanaka's ASEAN tour in 1974" (Wong, 313). Since then, the ASEAN states have persistently objected to the traditional Japanese trade relationship with developing Asia: "primary products imported, manufactured goods exported" (Koppel, 1046).

The ASEAN governments have constantly criticized the Japanese for having little response to trade access questions (Sudo, 521). Although the ASEAN states have exported more manufactures to Japan in the recent past, the increases in Japanese import penetration are attributed more to the appreciation of the yen rather than a conscious effort by the Japanese government to promote access (Orr, 51). Due to rapid industrialization, the ASEAN states have become increasingly strong producers of manufactured goods and have, therefore, been forward-look-

ing. As a result, they have wanted trade relations with Japan to flourish, but not at their expense. ASEAN views the inability to penetrate the Japanese market for manufactured goods as "capping their forward progress with industrialization" (Koppel, 1046). They want greater market access for manufactured goods in Japan like they have been able to achieve in the US. The following table indicates that until 1987, while there has been an increase in ASEAN's exports of manufactures to Japan, the share of these manufactures in total ASEAN exports to Japan is much lower than their share of exports to the US. On this basis, the ASEAN countries have alleged that Japan has been dictating trade practices strongly in its own favor and unfavorable to ASEAN.

Manufactures as % of Total Imports from ASEAN: Japan and US:

| | 1983 | 1986 | 1987 | 1983 | 1986 | 1987 |
|-------------|------|------|------|------|------|------|
| Singapore | 21% | 41% | 35% | 87% | 90% | 92% |
| Indonesia | 3% | 7% | 11% | 8% | 21% | 28% |
| Malaysia | 14% | 8% | 7% | 76% | 80% | 81% |
| Philippines | 14% | 19% | 20% | 67% | 68% | 76% |
| Thailand | 21% | 26% | 28% | 64% | 61% | 69% |

—Koppel, 11047

Furthermore, the ASEAN officials have criticized Japan for only giving in to Western pressures, particularly those of the US, while formulating its external economic policy. These officials claimed that the few market-opening initiatives put forward by Japan were prompted by the US and EC, and were, therefore, geared towards imports from the industrialized countries. As a result, manufactured imports from ASEAN and other developing countries were automatically excluded (Nihon Keizai Shimbun 1986, 33). For example, in 1984, Japanese government reduced the tariff on "bone-in" chicken from the US. In response, Thailand, which exported "boneless" chicken, pressured Tokyo to reduce its higher 18 percent duty on boneless chicken, arguing that different tariff levels were discriminatory. Following heated negotiations, the Thai producers achieved only a nominal cut in the tariff rate, with the result that the overall trade frictions between Japan and ASEAN were not alleviated (Sudo, 520).

Due to the gradual relocation of Japanese "resource-prone" industries to Southeast Asia, Japan is expected to increase its imports of manufactured goods in the future. At present, however, the Japanese market absorbs only 10 percent of ASEAN's products, which is reason enough for the ASEAN states to complain (Yamane, 1307). Unless Japan addresses these trade disputes quickly, trade relations between Japan and ASEAN may begin to sour. After all, ASEAN's "clout

may be weaker than the US or the EC, but it may make its point felt soon enough" (do Rosario, August 1 1991, 57).

Japanese Investments in ASEAN

Traditionally, Japan has been the most important source of foreign direct investments (FDI) in the ASEAN region. In the postwar period, Japan's investments in Southeast Asia were initially made in order to secure raw materials, particularly from Indonesia. The second wave of Japanese investments hit the region in the 1970s, but it was primarily aimed at the NICs to use them as export bases. The latest and most important wave of Japanese FDI arrived in the 1980s as a result of the "dramatic revaluation of the yen vis-a-vis the US dollar" (Holloway, 10). This most recent wave was centered on the ASEAN states because of their comparative advantage in labor-intensive industries and abundance of raw materials (Asian Development Bank, 44).

Over the years, the Japanese government has introduced a number of measures to encourage investment in ASEAN. These have mostly included incentives to invest in export-oriented manufacturing industries in Southeast Asia. As a result, investment in manufacturing industries has risen in the ASEAN countries. For example, in Singapore, the percentage of Japanese investment in manufacturing industries escalated from 11 percent in 1980 to 32 percent in 1990 (Review Correspondents, 20 June 1991, 91). In addition, Japanese investment in the ASEAN region has also been high in energy and resource development. After the oil crisis of the early 1970s, Japanese private investment in energy and resource development soared in Southeast Asia, and even today, a large portion of Japanese FDI in this region continues to be in natural resource and energy development (Wong, 308-09). The breakdown of cumulative Japanese FDI in ASEAN can be seen in the following table:

Japanese FDI in ASEAN, 1951-91:

(US\$ millions)

| | <u>Manufacturing</u> | <u>Development</u> | <u>Services</u> | <u>Others</u> | <u>Total</u> |
|-------------|----------------------|--------------------|-----------------|---------------|--------------|
| Singapore | 2,937 | 12 | 3,504 | 101 | 6,554 |
| Indonesia | 3,657 | 6,813 | 1,065 | 12 | 11,547 |
| Thailand | 2,959 | 74 | 1,257 | 132 | 4,422 |
| Malaysia | 2,403 | 218 | 600 | 11 | 3,231 |
| Philippines | 834 | 499 | 236 | 11 | 1,580 |
| ASEAN Total | 12,790 | 7,616 | 6,659 | 267 | 27,334 |

—Holloway, 11.

The table clearly points out that within Japanese investment in ASEAN, the greatest emphasis is laid on manufacturing industries, followed by resource development. It also indicates that the composition of Japanese investment varies from country to country within the ASEAN group, depending on what each country has to offer. Indonesia, which is heavily endowed with natural resources, has the largest proportion of investments in resource development. Also, commerce and services are highly invested in by Japanese businessmen in Singapore, which has achieved high levels of development in the past decades.

| | <i>Japanese FDI in ASEAN</i> (given in US\$ millions—last in billions) | | | 1990 | 1991 | 1991-91 |
|------------------------|---|------|------|------|------|---------|
| | 1987 | 1988 | 1989 | | | |
| Indonesia | 250 | 545 | 586 | 631 | 1015 | 11.5 |
| Singapore | 302 | 449 | 747 | 1902 | 840 | 6.6 |
| Thailand | 124 | 250 | 859 | 1276 | 1514 | 4.4 |
| Malasia | 158 | 163 | 387 | 673 | 725 | 3.2 |
| Philippines | 21 | 72 | 134 | 202 | 258 | 1.6 |
| ASEAN Total | 855 | 1524 | 2713 | 4684 | 4442 | 27.3 |
| % Japanese DFI | 4% | 5% | 6% | 7% | 8% | 9% |
| % Japanese DFI in Asia | 37% | 31% | 49% | 57% | 63% | 57% |

—Holloway, 205.

The above table reveals that from the period 1987 to 1990, there has been a steady increase in Japanese FDI in ASEAN. In 1991, however, FDI in ASEAN fell to \$4,442 million from \$4,684 million in 1990. This decrease was caused by a fall in total Japanese FDI from \$68 billion in 1990 to \$57 billion in 1991—an outcome of the Japanese decline in global economic activity (Holloway, 205). Moreover, although total Japanese FDI fell in 1991, there was a rise in ASEAN's share of Japanese FDI from seven percent in 1990 to eight percent in 1991. According to Shigeki Tejima, a senior economist at the Export-Import Bank of Japan, this rise in the proportion of investments in ASEAN is a result of Japanese firms having become selective in choosing destinations for their direct investment (Rowley, 16 June 1992, 27). They now consider the ASEAN states as among the most profitable areas of investment because of low costs and potential expansion of demand in local markets. In addition, Japanese companies are more willing to increase investment in Asia in general because their "plants in the region form an integrated production network" (Rowley, 16 June 1992, 27).

Another factor facilitating the recent rise in Japanese FDI in Southeast Asia was the easing of controls on foreign exchange by the Japanese government, thus creating incentives for Japanese investors to further expand investments in the developing countries of ASEAN with cheaper labor costs (*Nihon Keizai Shimbun*

1986, 36). Aided by these factors, Japanese businessmen, already keen to relocate labor-intensive industries elsewhere, started setting up manufacturing units of industries, such as textiles in Southeast Asia, resulting in a rise in overall Japanese investments in the region (*Nihon Keizai Shimbun*, 1986, 36).

Whereas Japanese investments in manufacturing industries have increased in Southeast Asia, they are still predominantly in the US and EC. This is simply because the internationally competitive industries, such as machinery and automobiles, have become more export-oriented, and so in such industries, the Japanese have made "direct investment...to establish and organize overseas sales offices and sales channels in order to support their exports" (*Nihon Keizai Shimbun*, 1986, 36). Recently there does appear to be a new trend toward increased Japanese investment favoring the ASEAN states, but it will be a long time before Japanese FDI in this region can catch up with those in the industrialized world. Until issues such as poor infrastructure, lack of qualified personnel and inadequate locally-made components are dealt with by the ASEAN states, extraordinary advances in Japanese FDI in the region are not possible (Holloway, 11).

The Japanese government, however, is keen on expanding investment in Asia. In 1991, a semi-official Japanese agency, which promotes the interests of Japanese investors, set up a regional office in Malaysia in order to encourage component suppliers to invest more heavily in Southeast Asia (Review Correspondents, 11 June 1992, 44). Similarly, many ASEAN governments have also created incentives to persuade increased investment. For example, the government of Singapore cuts the corporate tax from 32 percent to 10 percent when a company sets up its headquarters in Singapore. This policy is not only aimed at promoting investment, but also at promoting the transfer of technology by "locating the manufacture of critical components on the island" (Review Correspondents, 20 June 1991, 91). Likewise, in early 1992, Indonesia announced that foreigners would be "permitted to own 100 percent equity in projects with paid up capital of more than \$50 million" or in projects located in relatively underdeveloped eastern Indonesia (Schwartz, 76). Such incentives have lured Japanese businessmen, who have begun to further expand their operations in ASEAN, especially in the machinery, electronics and textile industries (*Nihon Keizai Shimbun* 1991, 67).

Japanese businessmen possess valuable technological and marketing knowledge about labor-intensive manufactures, which they can exploit profitably by investing in export-oriented manufacturing industries in the low-cost ASEAN states. Meanwhile, the ASEAN countries benefit through increases in national income, transfer of new technology, and training of skilled labor and management. "In this way, direct investment facilitates movement up the ladder of comparative advantage both in the investing countries [Japan], whose resources are

released to move into more capital-intensive activities, and in the host countries [ASEAN], whose industrial employment and non-traditional exports expand, especially of manufactures" (Asian Development Bank, 48).

Investment-Related Complaints and Problems

Regarding Japanese investment, a common ASEAN complaint is that requests for more advanced technology projects are either turned down or wholly ignored by Japan because Japanese investors do not consider them necessary for their mostly labor-intensive enterprises in the region (Wong, 315). From a Japanese perspective, the lack of investment in high-tech industries is due to the problems of infrastructure in the developing nations of ASEAN. For example, would-be Japanese investors are "daunted" by electricity shortages in the Philippines which can result in 12-hour brownouts (Review Correspondents, 11 June 1992, 41). Similarly, Japanese investments in Malacca, Malaysia, were adversely affected by the water rationing in 1991 (Tsuruoka, 53). Lack of qualified labor in ASEAN has also resulted in more technically advanced Japanese industries to be set up elsewhere. Moreover, Japanese investors are critical of the inability of the region's political institutions to cope with economic and social change. For example, due to political instability, Philippines lost a number of Japanese investment projects in the 1980s. Likewise, Japanese investment in Thailand dwindled after political upheavals occurred there in May 1992. After all, investors are required to weigh the cost of political instability (Review Correspondents, 11 June 1992, 42).

Another serious investment-related problem which could have severe negative implications on the political relations between Japan and ASEAN is simply the sheer amount of total Japanese investment. It seems that many sections of ASEAN society, particularly, the elites, fear that ulterior motives lurk behind the enormous levels of Japanese investment—that is, that Japan is trying to dominate the region economically, as its military attempted to do with the "Greater East-Asia Co-Prosperity Sphere" during World War II (Wong, 307). In light of the bitter memories of Japanese militarism during its occupation of the region, many ASEAN nationals are suspicious and critical of Japanese actions, which can negatively affect Japan-ASEAN political relations, as seen by the Tanaka riots in 1974.

Despite these problems, as the ASEAN countries continue to liberalize their investment codes, Japanese FDI should continue to expand rapidly. It is likely that real wages in Japan will grow faster than anywhere else in Asia, and, therefore, the flow of Japanese FDI to the lower-wage countries of ASEAN will be maintained for some time to come (Asian Development Bank, 49).

As a result of its economic success, "playing a more active role" in international politics has emerged as a major theme in Japanese foreign policy (Zhou,

342). However, because of article 9 of the so-called Peace Constitution, Japan is kept from building up a military force that is commensurate with its economic might. Yet, this does not seem to bother Japan, for it is convinced that "economic, scientific and technological, and social and cultural factors are becoming more and more important in international relations" (Zhou, 343). Thus, Japan has consistently used trade, investment and ODA policies to pursue its foreign policy objectives.

Japan has always emphasized the importance of Asia. According to former Japanese Prime Minister Takeshita: "Emphasis on Asia is Japan's long-standing principle. Asia accounts for 57 percent of the world population. If they have purchasing power, trade friction between Japan on the one hand, and the US and Western Europe need not arise" (Zhou, 346). Within Asia, Japan views the nations of ASEAN as exhibiting a substantial amount of economic dynamism. Moreover, with the emergence of the EC and the North American Free Trade Agreement, Japan feels economically threatened and, therefore, finds it necessary to strengthen its economic links to ASEAN in order to cement an economic alliance with the region. Japan regards the ASEAN nations as being extremely vital to its own political and economic interests.

By taking "responsibility" for Southeast Asia, Japan sees its international leadership being strengthened (Sudo, 513). Thus, by contributing to economic development, and consequently political stability in ASEAN, Japan's ODA, trade and FDI not only benefit the ASEAN states, but also help in globally promoting its own political status and ensuring its own economic security. "In an era of the emergence of the Pacific Basin in the 21st century, one can be optimistic that Japan-ASEAN linkages can be a powerful force and an example of cooperation to the rest of the world" (Sudo, 525).

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China's Role in ASEAN

by Ben Ruttenberg

As the decade of the 1990s begins, the changes in the world order have created new priorities in international relations. The days of a bipolar world, and all of the over-simplified categorizations that accompanied it, have been replaced by a world in which the complex concerns of economics and development prevail. The Asian-Pacific region is no exception. This new order has also forced the nations of the Association of Southeast Asian Nations (ASEAN) to reevaluate their relationships with their neighbors, and in particular with the last remaining communist panda of China. While Sino-ASEAN economic and political relations were notably poor at the time of the birth of ASEAN in 1967, these relations are now quite strong and mutually profitable, and appear to be destined for further integration. Relations between China and the ASEAN nations have changed quite dramatically throughout the 25 year history of ASEAN, from the time of its inception in 1967, through the Vietnamese occupation of Cambodia and the subsequent Sino-Vietnamese war in 1979, through the fall of world communism and the restructuring of the world order today. However, as important as economic relations are today, it is impossible to truly understand the economic developments of the past 25 years without placing them in the context of the often turbulent political developments that preceded them.

The Political Climate of 1967

The political atmosphere that framed Sino-ASEAN interactions during the years around 1967 was indeed historic. Not only was ASEAN, comprised of Indonesia, Malaysia, The Philippines, Singapore and Thailand, born in the midst of the Vietnam War, but Singapore had only gained its independence two years earlier from Malaysia which was still widely thought in terms of its regions. China was embroiled in the destructive Cultural Revolution and was denouncing nearly every nation, especially the members of ASEAN, as "running dogs" and "lackeys"

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of United States imperialism and Soviet revisionism.

Internal Chinese chaos did not allay the suspicions of the ASEAN nations and in fact, "Peking's frenetic foreign attitudes helped to stimulate the search for regional identity," which ultimately led to the formation of ASEAN (*Far Eastern Economic Review* [FEER], 8/24/67, 379). Indonesia's suspicions of Chinese involvement in the attempted coup in 1965 coupled with hostile Chinese rhetoric and a visit to Indonesia by a Taiwanese trade mission led to a freeze in Sino-Indonesian relations by the end of the 1960s. (FEER, 9/28/67) Finally, China was involved in "quarrels of varying degrees" with no less than 32 nations in 1967 alone, including Indonesia and Singapore (*China Quarterly* [CQ], 1967, v4). The extremist politics of the Chinese government during the middle to late 1960s may not only have alienated and strained relations with ASEAN, but may have even led to its formation.

Official Chinese sources carried the same messages conveyed by the independent media. *The Peking Review* [PR] repeatedly referred to the "reactionary puppet regimes" of most of the ASEAN nations without even mentioning ASEAN itself. Headlines such as "Reactionary Singapore Authorities' Anti-China Moves Will Come to No Good End," in reference to a Singaporean investigation of the records of the local branch of the Bank of China, and "The Face of a Traitor," to describe Thailand's support of US military bases there were common (PR, 22:27 and 8:14, 1969). The governments that attended the fourth ministerial meeting of the Asian and Pacific Council, among which were the US, Japan, Taiwan and some members of ASEAN, were referred to as either "imperialist," "reactionary," a "clique," or a "bandit gang" (PR, 25:28, 1969). Clearly, China's overtly hostile attitudes towards this group of nations was an indicator that it had no interest in dealing with them either politically or economically.

The Political Climate of 1979

By the end of the next decade, China's course had changed dramatically. The reformer Deng Xiaoping had claimed power and most of the world, including Southeast Asia, had resumed official activities with China. The Vietnamese invasion of Cambodia at the end of 1978 and the reluctance of the US military to become reinolved in the region left ASEAN and especially Thailand feeling vulnerable. These nations began to look to China as the only regional power willing and able to fend off an aggressive Vietnam. The Sino-ASEAN alignment against Vietnam served only to increase both political and economic integration for most of the next decade.

Indeed, as fears over Vietnamese aggression grew, both intra-ASEAN and Sino-ASEAN cooperation began to increase. Both ASEAN and China issued strong

statements in support of Thailand should Vietnam continue its drive into Thai territory (FEER, 1/19/79, 12). ASEAN did issue a similar statement condemning the Chinese invasion of Vietnam later that year, but it was quite diluted and issued only because "they were duty-bound by their neutrality." Even as the Thai ministers issued this warning to China, the *Bangkok Post* commented that: "An unseen side-effect of the Chinese move across the Vietnamese border is the awakening of Vietnam to the fact that China is not weak and can respond to any Vietnamese adventures in Southeast Asia...Hanoi leaders will have to think of the consequences [of an invasion of Thailand]" (FEER, 3/9/79, 17). However, China was still a communist country and was still pledged to aid its revolutionary brethren. Included in this international group was the Thai communist party. Even as the Chinese promised to stand behind Thailand's government and later invaded Vietnam to demonstrate this, they refused abandon this "cornerstone" of their foreign policy because it displeased the Thai government and would continue to aid, albeit modestly, the Communist Party of Thailand (FEER, 1/19/79, 18). Despite China's determined efforts to continue to support international communist movements, Sino-ASEAN relations had greatly improved to the point that China was willing to go to war with another communist country to insure the security of the region, an action that would have been inconceivable less than 10 years earlier.

Official sources in China again confirmed the conclusions of outside observers. Nearly every issue of *The Beijing Review* was crammed with statements claiming that, "the Chinese people stand resolutely behind Thailand and ASEAN neutrality in the face of aggression and will continue their support under any circumstances." Over a year-and-a-half after the Vietnamese invasion of Cambodia, China stated that: "ASEAN has played and is playing a tremendous role in combating the Soviet and Vietnamese hegemonists and is safeguarding peace and stability in Southeast Asia" (*Beijing Review* [BR], 27:10, 1980). Even after the immediate threat of Vietnamese incursion into Thailand had passed, the *Review* declared after the visit of Singapore Prime Minister Lee Kuan Yew that: "Singapore's views on the danger the ASEAN countries are facing are similar to those of China's" (BR, 47:7, 1980). It is interesting to note that while it was clearly pro-ASEAN at this time, the *Peking/Beijing Review* had a tendency to make statements in black and white terms; "good" nations were depicted as extremely pro-China, while "bad" nations were depicted as mortal enemies of China and the world. The strong statements in either direction made by the *Review* through this time must therefore be taken with a grain of salt. Nevertheless, it is clear that Sino-ASEAN relations had greatly improved since the late 1960s.

The Political Climate of the 1990s

Since the crisis in Southeast Asia in 1979, the world order has changed dramatically and with it has changed the relationship between China and ASEAN. The demise of the Soviet Union at the beginning of this decade shifted the focus of international relations from bipolar military confrontations to multi-polar economic relations. Free-trade zones similar to the European Community have been proposed all over the world, including Southeast Asia. The world economy is becoming more and more interdependent as economic strength and trade have become the new path to success. These lessons have not been lost on the ASEAN nations. Even though the Cambodian situation and fear of Vietnam, which had previously been the catalyst for closer Sino-ASEAN ties, has been basically resolved following Vietnam's withdrawal in 1989 and the Paris Peace Accords, ASEAN and China have retained their strong economic and political ties.

Even though it is often difficult for nations to truly cooperate on a global scale if they do not have official relations with each other, China has lacked official diplomatic relations with both Indonesia and Singapore since the late 1960s. Once these ties were broken, Indonesia refused to reestablish them until China admitted its role in the attempted *coup* in 1965, while Singapore had been waiting to follow Indonesia's lead. Although the absence of an official relationship has not substantially hindered economic and political cooperation, President Suharto of Indonesia described a "new milestone in the relations between the two countries" when ties were reestablished in 1990 while former Prime Minister Lee Kuan Yew expressed similar sentiments only months later after China resumed official relations with Singapore (BR, 1:16, 1991). While these nations were cooperating in many ways without having formal relations, it can only be assumed that their ties will become stronger now that they are official. The growth of the area economy has also led to further cooperation with China. The new "Golden Triangle" between Singapore, West Malaysia and the northern islands of Indonesia has in part helped to push ahead the ASEAN Free Trade Agreement (AFTA) (Southeast Asian Affairs [SEAA], 1992, 295). The possibilities of this agreement have in turn increased the "Chinese government's determination to take a more active role [in the area] as evidenced by [Foreign Minister] Qian's reference to China's willingness to join APEC [Asia-Pacific Economic Caucus]...and become a dialogue partner of ASEAN" (*China Quarterly* [CQ], 1991, 677). The disputed claims in the South China Sea may create some obstacles for Sino-ASEAN relations, but as of late there have been some signs that the issue is slowly being resolved. China has claimed all of the islands in the area, some of which are almost within sight of Malaysia and the Philippines. Many islands have also been claimed by some ASEAN nations as well as by Vietnam and Taiwan. In the past, China was reluc-

tant to discuss this issue on any level, but at the request of Indonesia, which has no claims in the area, the Chinese have agreed to come to the table, albeit on an unofficial level (FEER, 7/4/93, 19). Progress on this complicated problem is yet another indication of Sino-ASEAN political cooperation and integration.

The official rhetoric out of Beijing continues to follow a positive line. At the annual ASEAN Foreign Minister's meeting, Qian stated: "China respects and supports ASEAN's proposal for establishing a zone of peace, freedom, neutrality, and free from nuclear weapons in Southeast Asia" (BR, 31:16, 1991). The many official visits between China and ASEAN have "provided an opportunity for relevant discussion on the international and regional issues of common concern. They have deepened mutual understanding, furthered the friendship, promoted the good-neighborly and cooperative relations" (BR, 1:16, 1991). As soon as China was willing to discuss the disputed South China Sea islands, the *Review* commented on "a draft declaration urging a peaceful solution...[and that] a spokesman for the Chinese delegation expressed support for the document" (BR, 31:7, 1992). While this language does seem largely propagandist, it does succeed in conveying the message that China is committed to maintaining and improving its relations with the ASEAN nations.

Aside from the official, unofficial and scholarly sources of opinion regarding Sino-ASEAN relations, there are other ways to quantify trends in this political climate. Countries that are truly friendly tend to engage in many more cultural, scientific and political exchanges. Since the birth of ASEAN, there has been a clear trend towards greater a integration of China and ASEAN at the highest levels of government. According to the Chronicle and Documentation section of the *China Quarterly*, there were no recorded visits of high governmental officials between China and any of the ASEAN nations in 1967 and 1968, while in 1991 and 1992 there were 10 visits by heads-of-state and 12 by other senior officials.

Official Government Exchanges (in # of visits)

| | <u>To China</u> | | <u>From China</u> | |
|-----------|-----------------|-----------------|-------------------|-----------------|
| | Head | Other Officials | Head | Other Officials |
| 1967-1968 | 0 | 0 | 0 | 0 |
| 1979-1980 | 1 | 3 | 0 | 7 |
| 1991-1992 | 6 | 6 | 4 | 6 |

The obvious trend in the exchanges of senior government leaders coincides with the trend in official rhetoric and third party commentary towards more po-

litical integration between China and ASEAN. It also appears likely that this trend will continue into the future.

Economic Integration

As stated previously, it is reasonable to assume that as nations become more politically integrated, their economies do as well. Openly hostile nations do not often engage in close economic exchanges. Generally, as China and the ASEAN nations have become more politically linked, their economies have as well.

The most easily measured economic indicators of integration are tend to be aid, trade and foreign direct investment. The trends in Sino-ASEAN economic relations have been pointing towards greater integration not only within the region but within the entire global economy as well. On an absolute level, the economies of China and ASEAN have more interaction now than they ever have. The straight figures of aid, trade and investment are higher for all three categories for both China and ASEAN. However, because of the rapid growth of the world economy and world integration, these statistics must be placed in comparison. While the economies of China and ASEAN are relying more on each other, they are also relying more on the rest of the world.

Foreign aid to China and ASEAN is a simple indicator of the degree of global economic interdependence. The more aid a country receives from multiple sources, the more it will continue to rely on and begin to produce for those sources. At the time of the birth of ASEAN, aid levels to its individual nations were relatively low, while China was actually giving aid, although usually only to a select group of recipients consisting of communist countries or communist movements. However, by the late 1970s and early 1980s, China had actually begun to receive aid and ASEAN's receipts were higher than ever. By the 1990s, China and most of ASEAN were receiving aid at levels that continued to grow.

Total Net Official Development Assistance

| in US\$millions | 1966* | 1967* | 1979 |
|-----------------|--------|--------|--------|
| China | N.A.** | N.A.** | 16.9 |
| ASEAN Total | 207.9 | 471.9 | 1510.9 |
| Indonesia | 81.4 | 247.8 | 720.8 |
| Malaysia | 47.2 | 40.2 | 125.1 |
| Philippines | 67.6 | 113.8 | 267.4 |
| Singapore | 11.7 | 8.7 | 5.5 |
| Thailand | 54.4 | 61.4 | 392.6 |

| | 1980 | 1988 | 1991 |
|-------------|-------|-------|--------|
| China | 66.1 | 2891 | 3000.5 |
| ASEAN Total | 1817 | 4898 | 7496 |
| Indonesia | 949.5 | 3633 | 4007.1 |
| Malaysia | 135 | 69.9 | 452.9 |
| Philippines | 300 | 1255 | 1856.9 |
| Singapore | 14 | -23.9 | 122.3 |
| Thailand | 418.4 | -35.7 | 1059.5 |

Source: *Geographical Distributions of Financial Flows to Developing Countries*, 1966-67, 1981, 1992.

* The Total Net ODA for 1966-67 was compiled by adding the given figures for Total Official Bilateral Flows and Total Official Multilateral Flows. For all other years the figure given was given as the total of Net ODA Loans + Grants.

** China was not listed as a developing country in 1966-67.

While figures for direct aid flows between China and the ASEAN nations are difficult to attain with the exception of Singapore and, to some degree, Malaysia, it is clear that because both China and ASEAN have been receiving an increasing amount of aid over the past 25 years that they too have become much more inter-dependent on the world economy. It is interesting to note that Singapore, the only ASEAN nation with NIC status, has consistently received the lowest levels of aid and has recently even begun to give aid to a few nations, including China. Although these aid levels are negligible on the global scale, they are indicative of a greater cohesion of the Sino-ASEAN economies.

Comprehensive trade data are also available for nearly every country in the world. This information is often broken down by imports and exports, region, and even commodity and tourism and is useful for observing overall economic patterns. Economic integration between China and ASEAN seems to be increasing by enormous rates every year, but the figures must be placed into context.

China's Trade with ASEAN and the World

| | | |
|---------------------------|-------|--------|
| in US\$ million | 1967* | 1973 |
| China's Total World Trade | 2840 | 8422 |
| Sino-ASEAN Total | N.A. | 569 |
| Sino-Singapore Total | N.A. | 273 |
| ASEAN % of China's Total | N.A. | 6.80% |
| Singapore w/ China | N.A. | 48.00% |

| | <u>1979</u> | <u>1985</u> | <u>1991</u> |
|---------------------------|-------------|-------------|-------------|
| China's Total World Trade | 25919 | 70451 | 133018 |
| Sino-ASEAN Total | 1491 | 3932 | 7939 |
| Sino-Singapore Total | 537 | 2304 | 3075 |
| ASEAN % of China's Total | 5.80% | 5.60% | 6.00% |
| Singapore w/ China | — | 58.60% | 38.70% |

Source: *Direction of Trade Statistics Yearbook*, 1993, 1980, 1975, 1970.

* For 1967, the only ASEAN countries listed under China were the Philippines and Thailand. Neither of these countries had any trade values listed until the 1970's. Before this time, Sino-ASEAN trade may have been unofficial and therefore not reported in the *Direction of Trade Statistics Yearbook*. In order to maintain consistency, other sources were not used for this in US\$ million.

At first glance, it may appear that China and ASEAN are not in fact integrating economically at any significant rate, but while China is becoming more interdependent with ASEAN (as shown by the absolute figures), it is also becoming more interdependent with the global economy. While ASEAN accounted for only six percent of China's total trade in 1991, the absolute figure amounts to a whopping \$7.94 billion. Furthermore, Singapore clearly holds the dominant position within ASEAN, often accounting for over half of all ASEAN's trade with China in any given year. Despite the statistics listed in the DOTS, China was Singapore's fifth largest trading partner in 1967 behind Malaysia, Japan, the US and the UK, with a total trade of \$482 million (Asia Yearbook, 1969, 285). These economic ties continued to grow until the "Singapore connection in China's external trade has made the island republic one of China's top trading partners" (FEER, 9/7/79, 38). The relationship that Singapore has had with China over the years has allowed an even stronger relationship to develop between China, Singapore and the rest of ASEAN.

While both aid and trade are good measures of economic integration, neither requires the long-term commitment of capital that private investment requires. Companies tend to invest in places that are perceived as stable and in projects that are likely to generate a return. These direct foreign investments that are often vital to the growth of an economy have been growing rapidly over the past two decades in both China and the ASEAN countries.

Direct Foreign Investments in China and ASEAN

| in US\$millions | <u>1971</u> | <u>1975</u> | <u>1980</u> |
|-----------------|-------------|-------------|-------------|
| China | N.A. | N.A. | 57 |
| ASEAN Total | 394 | 1199 | 2439 |
| Indonesia | 139 | 476 | 180 |
| Malaysia | 100 | 350 | 934 |
| Philippines | N.A. | 97 | N.A. |
| Singapore | 116 | 254 | 1138 |
| Thailand | 39 | 22 | 187 |
| | <u>1985</u> | <u>1990</u> | <u>1991</u> |
| China | 1030 | 2657 | 3453 |
| ASEAN Total | 1988 | 9626 | 10829 |
| Indonesia | 310 | 1093 | 1482 |
| Malaysia | 695 | 2332 | 4073 |
| Philippines | 12 | 530 | 544 |
| Singapore | 809 | 3368 | 2883 |
| Thailand | 162 | 2303 | 1847 |

The investment figures shown above are consistent with the general patterns of world investment towards the more developed and stable nations. The political instability of the Cultural Revolution and the chaos that followed discouraged direct investment in China until the 1980s, while the corruption of the Marcos regime in the Philippines deterred investment for similar reasons. As both of these nations regained their political stability, investments began to rise. Even in 1979, the possibilities for investment in China had already been recognized. "The Chinese market may not be large enough initially to justify investing in China itself [yet]...but the potential growth of China's market, plus...incentives in Singapore would justify investments in Singapore, with exports geared towards China and...traditional markets"(FEER, 9/7/79, 39). Investments did increase in Singapore at that time and began to grow rapidly in China soon after.

It is often difficult to determine just how much of aid and investment to China originate within ASEAN because of the structure of the statistical yearbooks. However, it may be assumed that some of the investments into China are from ASEAN and in particular, Singapore because: "Singapore has become the fourth largest investor in China," most likely behind the more proximate Hong Kong, Taiwan and Japan (BR, 3:7, 1992 and CQ, 1992, 478-9). While the fourth largest investor is most likely dwarfed by the first three, it does demonstrate a substantial

amount of integration between China and Singapore and the rest of ASEAN.

Throughout the course of international relations, economic relations tend to be correlated if not the result of the political climate. Nations with poor political relations do not tend to have strong economic links. This has certainly been true of Sino-ASEAN relations since the birth of ASEAN in 1967. Throughout the past 25 years, ASEAN's political relationship with the People's Republic of China has changed dramatically and vast economic alterations have accompanied and often followed these drastic political changes. Economic and political ties between China and ASEAN have progressed from open hostility during the late 1960s to the current situation where friendship and mutual advantage are the prevailing norms. While there may be a few problems between them, international relations are never perfect. If the trends of past are any indication of the future, the Sino-ASEAN political and economic relationships will only continue to grow and bloom, benefiting not only the Southeast Asian region but quite possibly the entire world.

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The Future of the OAS

by Gerald Brant

The emergence of regional blocs is seen by many as a central feature of the developing "New World Order." By the early 1980s, it became clear that the Third World movement would not serve as an effective platform for the promotion of Latin American interests.¹ The 1980s witnessed the renewed centrality of the US to the Latin American countries. The US' position as the region's major trading partner was firmly re-established. Between 1980 and 1987, the US share of Latin American exports rose from 32.2 percent to 38.2 percent.²

Presidents Bush and Clinton have pointed to the long-term objective of a hemispheric free trade area, one which would include both bilateral negotiations and agreements with the various intra-American trade groupings. A certain consensus has evolved, that the US journey toward economic renewal and global leadership should begin at home, but its next step must be to build a free-trade community of democratic countries in the Americas.³ Canada's decision to join the OAS from 1990 marked a definite regionalist turn in Canadian foreign policy, which had previously been based on building up extra-regional relations and active multilateralism as a means of balancing the power of the US.⁴

Over the past few years, the OAS has become a far more active and influential institution. During the 1970s and 1980s, it had been largely irrelevant and ignored in inter-American relations. Stymied by continual friction and mutual suspicion between the United States and Latin America, the prevalence of military rule in much of the region, and Washington's unilateralist impulses and Cold War preoccupations, the OAS sat on the sidelines as the major issues played themselves out in other forums. Called upon to help resolve the Panamanian crisis in 1989, the Organization suffered a humiliating setback when it was neither able to end General Manuel Noriega's rule nor prevent the United States from invading in order to depose him.⁵

Only a few months later, however, the OAS began a remarkable turnaround, starting with the Nicaraguan presidential elections of February 1990. In an un-

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precedented show of resilience, the OAS joined forces with the UN in Nicaragua and ended up playing a vital role in ensuring the fairness of the electoral process, assisting the transition to the new government of Violeta Chamorro, and participating in subsequent efforts to put an end to political violence.

The Organization's resurgence continued through late 1990 and early 1991. It took the lead in monitoring a string of elections in such trouble spots as Haiti, El Salvador, Paraguay, and Suriname—in each case, helping to produce a set of results that were generally accepted as fair and legitimate.⁶

Today, the issue of democracy is a crucial one for the OAS. Across the Americas, it is now widely accepted that democracy—characterized by regular competitive elections, a free press, constitutionally guaranteed rights, and civilian control of public decisions—is the only legitimate means to secure and exercise power. While the institution of democracy is far from consolidated in many countries, there is a strong and broad commitment to democratic norms. This study shall examine the historical development of the OAS and the evolution of its role in preserving democracy and human rights in the Western Hemisphere.

The recognition of democracy as the guiding principle of the American states developed gradually but persistently, starting with an initial moral commitment and proceeding to the binding obligation laid down in the OAS Charter. Democratic government has been a constant goal of the peoples of the Americas almost since the time of their independence from Europe and the collapse of absolute monarchy as a form of government.⁷

Historical Development of the Inter-American System

A. (1826-1900): The Bolivarian Vision

The possibility of union of the former Spanish colonies, or at least some of them, seems to have been in the minds of most of the Liberators. Among those frequently cited in this connection are Francisco Miranda, Bernardo O'Higgins, Jose San Martin and, of course, Simon Bolivar.⁸

Simon Bolivar is most closely identified with the early Hispanic-American union idea. The historic Panama Conference produced the Treaty of Union, League and Perpetual Confederation dated July 15, 1826. Although never ratified, it created Central America, Columbia, Peru, and Mexico. Further Conferences were held in response to Spanish threats of recolonization. While these conferences failed to establish any sort of league, some underlying principles left their mark in the 19th century. The insistence on equality of states, nonintervention, pacific settlement of disputes, and nonrecognition of territorial conquest all stem from this period.

The present OAS has its roots within a resolution of the First International

Conference of American States held in Washington in 1889 with the purpose of discussing and recommending...some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering questions relating to the improvement and business intercourse and means of direct communication [between American Nations]..., and encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries.⁹

Similar conferences were held in Mexico City (1901-02), Rio de Janeiro (1906), Buenos Aires (1910), and Havana (1928). Between the 6th Conference of 1928 and WWII, a growth of agencies and functions led to increasing use of the term "Inter-American System".

B. (1900-1948): Rio Conference and Charter

It was not until the Depression of the 1930s and the threat of war in Europe that matters of national economic and political policy came to be regarded as appropriate for consideration within the framework of the Inter-American system. By the outbreak of WWII, the Inter-American System comprised the International Conferences of American States, commonly called the Pan American Conferences.

Two basic treaties form the foundations of the OAS: the Inter-American Treaty of Reciprocal Assistance of 1947 (known as the treaty of Rio de Janeiro) and the Charter of the OAS concluded the following year. Let us trace the main features of each, starting with the development of the Treaty of Rio de Janeiro, which came first in time and established the all-important obligations on which the system of collective security rests.

The Treaty of Rio de Janeiro, therefore, establishes two types of obligation. The first deals with armed attack. Drawing upon Article 51 of the UN Charter, it provides that in case of attack all parties to the treaty are required to assist the attacked state immediately. The decisions regarding collective measures are to be taken by a two-thirds majority. The other type of obligation under the Rio Treaty concerns acts of aggression other than armed attacks, as well as all threats of aggression. In such circumstance, the parties to the treaty are bound only to consult, no prior unilateral action being either called for or authorized.

The OAS Charter

The American States establish by this Charter the international organization that they have developed to achieve an

order of peace and justice, to promote their solidarity, their territorial integrity and their independence.

—from Article 1, Charter of the OAS

The current OAS Charter was signed on May 2, 1948. Although it followed the Treaty of Rio de Janeiro by one year, the Charter of the OAS is the true constitution of the regional organization. The document contains statements of broad philosophical and humanitarian principles and relatively minor details of procedure. Drafted at the 9th International Conference of American States, the conference crowned decades of thought and experience on the principles and procedures of inter-American relations.

Part I of the Charter includes a variety of inter-American principles that received official and popular support since the early 19th century. Part II of the Charter deals with the organization itself, setting forth the hierarchy of "organs" through which the OAS does its work. These include the Inter-American Conference, the Meeting of Consultation of Ministers of Foreign Affairs, the Council of the Organization which meets in permanent session, the Secretariat or Pan-American Union and a host of functionalist organs. To North Americans, accustomed to the relatively dry and practical terms in which constitutions are written, the Charter of the OAS is an amazing composite of rules, agreements, principles and aspirations.¹⁰ In keeping with Latin American sentiments, the document not only sets forth what the member countries agree should be the structure and procedures of their organization, but gives the emotional motive power to the machine as well.¹¹ Some of the declarations may seem awfully rhetorical, for example: "The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires their close cooperation for the high purposes of civilization."¹²

The issue of historic struggle over intervention and nonintervention is exemplified in Article 15 of the Charter where the principle of nonintervention receives its most absolute expression:

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against its political, economic, and cultural elements.¹³

This basic idea is reinforced in other articles and in other words, especially Article 17 regarding the use of military force. However, Article 19 states an exception: "Measures adopted for the maintenance of peace and security in accordance with existing treaties do not constitute a violation of the principles set forth in

Articles 15 and 17."¹⁴

At the San Francisco Conference in 1945 the Latin American governments were determined to prevent insofar as possible the intervention of non-American powers in the maintenance of peace and security among the American States. Largely as a result of the Latin Americans' insistence on their position, the delegates drafting the UN Charter adopted Article 51, recognizing the right of individual and collective self-defense in case of armed attack.¹⁵

The will to constrain US hegemony is evidenced in the OAS Charter's prohibitions of intervention except in the case of "measures adopted for the maintenance of peace and security in accordance with existing treaties." Unlike the UN Charter which, by centralizing coercive authority in the Security Council and conceding vetoes to the great powers of 1945, recognized the material inequality of states—the OAS Charter and the Rio Treaty collectively signify the triumph of formal equality: one state, one vote.¹⁶

C. (1948-1985): Cold War History

For the first 20 years of its life, from 1945 to the late 1960s, the OAS played a substantial role in hemispheric affairs. It did so, however, as an appendage of US Cold War strategy as exemplified in the Cuban and Dominican crises. In these cases it is evident that its main function was to legitimate armed intervention by the US in hemispheric events. They clearly exemplify a reaffirmation of the Monroe Doctrine in a Cold War context.

Meeting at Punta de Este, Uruguay, in 1962, the OAS expelled Cuba, citing the principle of representative democracy and the Declaration of Santiago on the importance of free election, and specifically noting that Castro's Marxist-Leninist regime was "incompatible with the principles and objectives of the inter-American system."¹⁷ Two years later, in July 1964, the OAS foreign ministers denounced another set of attacks on the democratic government of Venezuela, this time orchestrated by Castro, and called for the suspension of diplomatic relations, economic arrangements, and transport links with Cuba.¹⁸

In May 1965, a crisis in the Dominican Republic shook the inter-American system. The OAS foreign ministers resolved to turn the unilateral armed intervention of the United States into a collective operation by converting the foreign military troops on Dominican soil into an "inter-American force." One of the purposes of this was "in a spirit of impartiality, to cooperate in the restoration of normal conditions in the Dominican Republic" and in the establishment in that country of an atmosphere conducive to the "functioning of democratic institutions."¹⁹ However, one may choose to judge these events, with the "inter-American" force present, elections were held that led to the re-establishment of a civil-

ian government.

By 1970, however, it was apparent to the US that it could no longer command the two-thirds majority vote necessary for the authorization of intervention. By the mid-1970s, the OAS had become marginal to the interests of most Latin countries and to the US, with one exception. While it had become viewed as bureaucratic, its human rights machinery was beginning to expand.²⁰

Human Rights

The nations of the Western Hemisphere worked hard to add human rights provisions to the United Nations Charter in 1945, and demonstrated international leadership in the matter by adopting the American Declaration of Human Rights in 1948, seven months before the Universal Declaration of the Rights of Man was signed at the United Nations.²¹

Today, the Organization's Inter-American Human Rights Commission is widely regarded as one of the shining lights of the OAS, including the former US Ambassador to the OAS, William J. Middendorf.²² The seven members of the Commission are elected in their personal capacities, not as representatives of governments. They report on the countries with human rights problems and investigate and disclose allegations of abuses against individuals. The Commission has historically steered a generally balanced course in its criticism of regimes of both right and left. In 1988, for example, the Commission prepared reports on Cuba, Chile, El Salvador, Guatemala, Nicaragua, Paraguay, and Suriname. In addition the Commission had a prominent role in the release of close to 2,000 former National Guard members who were held prisoner in Nicaragua.²³

Creating a Western Hemisphere "Safe for Democracy"

"The OAS has exhausted its role," Venezuelan President Carlos Andres Perez told the members of the Organization of American States in 1990. "The expansion of democracy...offers an important opportunity to rethink the OAS and close the gap that has separated the North American vision of peace and security from the vision of the peoples of Latin America."²⁴ The OAS has slowly evolved to meet this challenge, while retaining the doctrine that democracy will also help secure peace because, historically, democratic states do not fight against each other, and because they are more eager to sheathe the weapons of war.

Like other international institutions during the Cold War, the OAS regarded nonintervention as a sacrosanct principle of inter-American relations. Each member state saw interference in its domestic affairs as highly provocative and inappropriate. The first erosion of the noninterference priority came in 1985 with the Protocol of Cartagena, which amended the original OAS Charter.²⁵ Passed at a

time when democracy was taking root in Latin America, the protocol made reference to the organization's additional responsibility "to promote and consolidate representative democracy, with due respect for the principle of non-intervention."²⁶ Five years later in 1990, the OAS General Assembly unanimously requested the establishment of a democracy promotion unit in order to advise and assist governments in electoral matters by providing research, training and support.

These actions helped pave the way for a new approach, which in this context undermines the doctrine of noninterference. In June 1991, in Santiago, Chile, the OAS General Assembly unanimously adopted Resolution 1080 on representative democracy.²⁷ In essence, it recognized that the solidarity of the American states required that each member be a "representative democracy" and that the OAS be proactive in its efforts to preserve such republicanism.

Resolution 1080 thus transformed the OAS into an organization for which democracy was a condition for membership and an objective according to its charter. On December 14, 1992, the OAS amended its charter to allow the suspension of a member by a two-thirds vote in the General Assembly if that state's "democratically constituted government has been overthrown by force."²⁸ The rationale was that while democracy cannot be externally imposed on any country, citizens living under democratic governance have the right to count on international action against threats to their republican rule.

Democracy Challenged: The Haitian and Peruvian Crises

The September 30, 1991 coup which ousted the democratically elected president of Haiti, Jean-Bertrand Aristide, provided the first test of the hemisphere's resolve in defending democracy less than four months after Resolution 1080 was approved. Just days after the coup, a meeting of OAS foreign ministers declared, in accordance with the Santiago Commitment to Democracy, that events in Haiti constituted "an abrupt, violent, and irregular disruption of the legitimate exercise of power by the democratic government."²⁹ In a show of solidarity on behalf of democracy in the hemisphere, the OAS refused to recognize the new Haitian regime and imposed a trade embargo.

Haiti has refused to follow the basic OAS demand: to allow Aristide's return to office. The military's only significant concession was to permit the creation of an OAS monitoring mission and negotiating with an OAS/UN appointed mediator. Currently, the military regime remains in power despite multilateral efforts and its international isolation.

The second test for the OAS came in April 1992 when the democratically elected president of Peru, Alberto Fujimori, dissolved the country's congress, suspended its constitution, closed down the judiciary, and arrested prominent oppo-

sition members and journalists.³⁰ The engineers of the autogolpe (self-coup) underestimated international resolve to resist violations of democratic governance. The OAS foreign ministers, who met under the Santiago accord, expressed their displeasure and appealed for "the immediate reestablishment of democratic institutional order in Peru."³¹

Afraid of exacerbating Peru's severe economic problems and driving more supporters into the arms of the Maoist guerrilla group Sendero Luminoso (Shining Path), Fujimori responded to international pressure by attending an OAS gathering in Nassau, Bahamas, where he promised to hold parliamentary elections rather than a plebiscite. The OAS-monitored elections proceeded without incident in November 1992 and the elected parliament was seated.

This new trend in the OAS has elicited strong support in the diplomatic and academic communities, and most agree that the collective will of the Western Hemisphere helped restore a certain measure of democracy to Peru.³² Only time, however, will determine the success of the OAS efforts in preserving democracy. The historic obligation it has embraced by adopting Resolution 1080 needs to be bolstered with specific procedures for actions to protect democratic regimes.

Collective sanctions against coups or tainted elections are a necessary part of a hemispheric foundation predicated on securing democracy. On the international level, it has been suggested that the OAS should legislate an automatic, escalatory sequence of sanctions, beginning with diplomatic isolation and moving to the cessation of bilateral and multilateral aid programs, the freezing of financial assets and, finally, a trade embargo enforced by the navies of the OAS members. Such a sequence of sanctions would be unprecedented, but perhaps democracy deserves no less.

The OAS remained a passive onlooker as dictatorships rode high during the decade and a half from the mid-1960s to the late 1970s, convincing people that the Organization was incapable of acting on its stated commitment to democratic solidarity in the Americas. It would indeed be a tragedy if the pendulum were to swing back to dictatorship in Latin America while the United States and the OAS looked on. To prevent that and secure democracy, the democratic countries of the Americas should establish an automatic system of collective action.

Building a Stronger OAS

The challenge for the Western Hemisphere is to make these principles work in practice. While the OAS has taken on a range of new responsibilities, it is still a fundamentally weak organization, lacking the mandate, resources, and institutional memory needed to act forcefully on behalf of hemispheric democracy.³³ Unlike such other international agencies as the World Bank, the IMF, or even the

United Nations, the OAS has virtually no independent authority to manage its own affairs. Its 34-member governments retain control of all major substantive and operational decisions which are mainly taken by consensus. The OAS secretary-general has far less authority and autonomy than his UN counterpart.³⁴ It should therefore not be surprising that the Organization is so often indecisive and slow-moving, and rarely able to take significant risks.

Financing

There is an almost common consensus that the Organization's finances need to be put on a surer footing. Although many members are in deep arrears, it is encouraging that the United States, whose annual quota accounts for about 60 percent of the OAS budget, has recently begun paying its full assessment, after nearly a decade of significant delinquency.³⁵ Nevertheless, OAS expenditures have fallen by more than half since 1975 and by nearly a third since 1985.³⁶ The OAS will require dependable support in order to maintain high-quality personnel and carry out its increasing responsibilities on special tasks like election and human rights monitoring.

A View from the US Congress

The OAS is the only inter-American agency exclusively devoted to multilateral communication, negotiation, and cooperation between the US, Latin America, and the Caribbean. On the 100th Anniversary of the Inter-American system which began with the International Union of American Republics in 1889, the Human Rights and International Organizations and Western Hemisphere Affairs Subcommittees of the House Foreign Affairs Committee held a joint hearing on July 12, 1989, to examine "The Role of the OAS in the 1990s."

Chairman George W. Crockett's (D-MI) opening statement gives a candid display of American policy-makers attitudes towards the Organization:

In my view, the problems of the OAS are in part a legacy of eight years of misguided unilateralism by the United States. Like other international organizations, the OAS has atrophied through disuse and hostility, again, by the United States...The OAS has proven largely irrelevant to two major hemispheric crises, the conflicts in Central America and the debt crisis, and yet I think there is great potential and great need for an organization like the OAS. It is the only organization available to address issues on a hemispheric level, and while it has been bypassed repeatedly on political issues throughout the hemisphere, its technical and cultural cooperation programs have proven to be both popular and successful.³⁷

Ranking Minority Member, Douglas Bereuter (R-NE), made a strong statement for the Organization's functionalist aspects:

The OAS is a broad ranging entity that provides many services that receive little attention. Specialized OAS organizations—such as the Inter-American Children's Institute and the Pan American Health Organization—provide important and necessary services aimed at improving basic living conditions throughout the hemisphere. Likewise, the Inter-American Institute for Agricultural Sciences serves as a clearinghouse of information and assistance for the many subsistence farmers in Latin America. These specialized organizations do their work in relative obscurity-serving the poor, and educating populations while others draw headlines.³⁸

William J. Middendorf, a witness and former Ambassador to the US Mission to the OAS provided some interesting insights into the issues of financing and inter-American politics. He urged the Congress to continue its funding of the Organization and furthermore to pay outstanding debts as "the US has not been let down in the OAS wherever our own vital interests were at stake...It is not a body that is down there criticizing the US at all times."³⁹

On the issue of politics within the Organization his remarks indicate that even within the regionalist framework, policy divisions exist among member states:

Inter-American politics tend to divide member states into distinguishable camps with ambivalent views toward one another...Within the OAS, the Spanish-speaking states tend to identify with each other, with Brazil deeply involved but generally standing apart, and the Caribbean nations almost always operating on the periphery...I found it somewhat that way in operating, but it is like a moving crap game. One day, you have a whole bunch of allies from one group, and the next day the guy you were fighting against is your best pal, and you are working with him the next day.⁴⁰

Promoting Security

The original purpose of the OAS and the United Nations was to prevent wars between states through collective security. In the Americas, few wars have been fought between states, and they have usually ended quickly, often because of OAS action.⁴¹ The most prolonged and costly wars in the hemisphere since 1945 have not been between states but within them. The OAS has rarely been involved with those conflicts.

Emory University Professor Robert A. Pastor suggests the need for an OAS drug force in his essay "The Latin American Option" in *Foreign Policy*. Pastor stresses the OAS must overcome its reluctance to consider military options, even those against drug traffickers or in supervision of a cease-fire. He suggests three other security issues which must be addressed by the hemispheric community: territorial disputes, an arms-reduction initiative, and the defense of the Panama Canal after the year 2000.

Conclusion:

The Inter-American System, Does it have a Future?

For a variety of historical reasons, external military involvement—whether unilateral or multilateral—in the domestic affairs of any nation remains an issue of extreme sensitivity in inter-American relations. Latin American nations have, for example, endorsed the sending of an armed UN contingent to El Salvador to supervise implementation of the peace accords between the government and the guerrilla forces. Nevertheless, most would oppose the development of even a modest regional peacekeeping capacity.

If it is to become a truly hemispheric leader—on democracy or any other issue—the OAS may need a new governance structure. Its customary method of decision making by consensus may give way to some more agile form mechanism—like the UN Security Council, perhaps—where its senior officials would receive greater leeway to act on their own.

The global trends are obvious, with the passage of NAFTA, ties within the Western Hemisphere are growing. Therein lies a growing mission for the OAS. Besides the aforementioned roles of democracy and human rights monitoring, the international agenda holds much for an active OAS: drugs, environment, debt, technology, refugees, energy. These are all issues beyond the control of any individual nation. They are, by definition, inter-American issues.

The first secretary-general of the OAS, the distinguished Latin American statesman, Alberto Lleras Camargo, said the OAS is what its member governments want it to be nothing more, nothing less.⁴² The past problems of the OAS cannot be laid at the feet of any single country or any single administration. All the member-states and, indeed, the Organization itself share the blame.

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¹⁸ Munoz, p. 35.

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Consolidating Democracy: Colombia, Venezuela and Uruguay

by Steve Kaplan

Political violence is probably most frightening because we view it as a monster fueled by ideology. This ideology identifies, excludes and persecutes all those in opposition. It is easy, therefore, to see why, in Colombia, Venezuela and Uruguay, political elites would choose to compromise in order to wrest control of their governments from authoritarian regimes and bring political stability to their countries not through authoritarian rule, but via electoral means. In each of these countries, a pact was drawn between major political actors to bring about this change. Guillermo O'Donnell and Philippe Schmitter, in their essay "Transitions from Authoritarian Rule," spell out what they see as the process by which a political transition is negotiated. They highlight both the need for compromise between the military regime's softliners and civilian political elites, as well as an isolation of extremists on each side, as integral elements of a political pact for transferring power. This brings in a civilian government that is inclusive, stable and capable of carrying out policy with little opposition. Implied in this theory is that governments that exclude leftist elements will be more stable than those that include them.

When compared with empirical case evidence, however, O'Donnell and Schmitter's model does not hold true. Governments that exclude the left are not more stable than those that include them. A three-way comparison of the cases of Colombia, Venezuela and Uruguay will reveal that, in fact, the opposite is true. Governments that include the left are more stable than those that exclude them. Colombia, the most susceptible to political violence, is the most exclusionary of the three. Uruguay, on the other hand, is the most stable and has the most political participation of the left. Venezuela falls in the middle. In order to examine this issue, it is important to first look at the O'Donnell and Schmitter model more closely, and then explore the issues in regard to the three case studies. It is also important to identify some issues regarding what participation means. After this is accomplished, an examination of the cases will show that inclusion of the left

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leads to a broader representation of the polity and more stability—two keys to democratic consolidation.

First, we need to give a brief outline of the O'Donnell and Schmitter model. O'Donnell and Schmitter define their primary players within the authoritarian government as "hardliners" or "softliners"; they designate those outside the government as "civilian political elites" or "extremists." Pacts, they claim, are based on negotiations between the softliners and the civilian political elites. The first step is a realization by the softliners that there needs to be liberalization. The civilian elites want a restoration of civilian-controlled democracy. The civilian political elites could not accomplish this transfer of power without the help of mass mobilized factions on the political extreme—they simply would not have the numbers. This "cycle of mobilization" is the resurrection of a civil society.¹ This mobilization creates a reactionary fear among the hardliners in the government who often threaten to stage a coup. This prompts a new stand by the softliners to demand that the civilian elites get their masses under control so that the government does not revert back to the hardliners. The softliners agree to keep the hardliners in check if the civilian elites do the same to the political left and right. This step is key to why O'Donnell and Schmitter see the exclusion of the extremists as pivotal in political pact-making.

Central to the problem we address here are the details of the pact for the new government. The pact is formed "under which actors agree to forgo or underutilize their capacity to harm each other by extending guarantees not to threaten each other's corporate or vital interests."² This generally includes amnesty for the retiring authoritarian government and an agreement between the two centrist political parties to some sharing of power. "What typically emerges is a second-best solution which none of the actors wanted or identified with completely but which all of them can agree to and share in," because "no political group is sufficiently dominant to impose its 'ideal project'."³ Centrist policies are followed in order to maintain stability.

The other area that must be discussed before we compare the empirical data is the question of what constitutes political participation. In his article "Elections and Democracy in Central America," John A. Booth outlines a number of conditions of participation to determine if elections are fair. According to Booth, fair elections "require other structural and contextual conditions for the polity as a whole: freedom for parties to organize, electioneer, campaign and distribute propaganda, absence of unfair advantage for particular minorities, *especially incumbents* [emphasis added]...and an individual's right to free and equal opportunity to receive information about issues, parties, and candidates."⁴ This is a significant point to stress because an argument that could be made against this paper's thesis

is that the left has been legalized in Venezuela and for the most part in Colombia (with a generally poor showing), and these countries still exhibit signs of political instability. Following this line of thought, inclusion of the left has nothing to do with stability. I argue, though, that because they were excluded from the outset of the pact, structural conditions still in place that resulted from those pacts make it impossible for the left to act as an equal on the political scene.

This point will become pivotal as we discuss Colombia. Colombia's political pact was signed to end the authoritarian regime which was precipitated by the period known as "la violencia." Colombians saw competition between the two major parties, the Conservatives and the Liberals, as the reason for the violence. The pattern of regime transition during this period consisted of a long period of either Conservative or Liberal dominance with repression of the other party, that is, until the other party could regroup and overthrow the regime and install its own party. After that, the cycle would begin anew.

The Conservatives and Liberals came together in 1958 to oppose the authoritarian regime and, after its ouster, they negotiated the pact of the National Front. The agreement established presidential alternation between the Conservatives and Liberals until 1974 and equality of representation between the two parties in the executive cabinet, congress and judicial appointments to help reduce the possibility of political violence.⁵ This conservatism also extended to policy-making. Two-thirds of the congress was required to pass a measure during most of the National Front period. This led to programs that deviated little from the center line walked by both parties. Its economic policies have been moderate and continuous. This, in turn, caused a feeling of disempowerment among the majority of people. It was impossible to affect their government.

Participation in voting in Colombia has been dismal. Participation during the National Front period reached a high of only 57 percent and that was in 1958, the first year of the regime.⁶ The voting rate in 1978 was a shockingly low 33.4 percent.⁷ The rigid regulations of the pact and their policy implications forced those outside the two parties to find ways other than elections to advance their programs. Enrique Baloyra claims that "high rates of abstention during the National Front years were in one sense healthy for the bipartisan arrangement since non-voters tended to have social characteristics that would incline them toward the principal opposition movement, ANAPO."⁸ I would, however, disagree. The high abstention rates meant that the only other way of affecting government was through political violence. This was a major preoccupation of the National Front regime throughout its tenure and, moreover, distracted them from their ability to govern. By 1974, inflation had risen to 24 percent and there was a decline of 15 to 20 percent in real wages.⁹ The absence of a broad base of leftist views and a lack

of easy avenues to express them through the political process constrained the socio-economic options of the population as well.

In 1969, a process of constitutional reform was started. Out of this process, "cabinet ministries, governors, mayors and other administrative positions which are not part of the civil service will be divided equally between Liberals and Conservatives until August 7, 1978. After that date, the same offices will be divided among the parties 'in such a way that gives adequate and equitable participation to the *major* (emphasis added) party distinct from that of the president.'"¹⁰ These limits on competition are embedded in Article 120 of the Constitution and continued after the formal end of the National Front.

It is not unusual, then, that the major armed guerrilla movement emerged after the official end of the National Front regime. The M-19 first appeared in 1974 as the armed branch of the political movement ANAPO.¹¹ ANAPO was a political party that ran as opposition within the National Front framework in 1970 and gained much popularity, but was defeated in the end. After its defeat, the movement quickly faded due to "the paucity of resources at the departmental and municipal level, [and] obstructionism from other parts of government."¹² It is no surprise, moreover, that the M-19's favorite targets were elections—indicating their realization of the value of electoral participation in achieving their goals.

In 1984, a dialogue between the guerrillas and the government yielded an agreement in which the guerrilla groups promised to stop attacks and kidnappings while the government pledged to implement political reforms and social programs.¹³ While it would appear that the armed opposition was able to meet its goals via militancy, in the end, the agreement broke down and there was more political violence. The first group to reintegrate itself into the electoral process was the M-19 in the elections of 1990. It finished third in the Presidential race, but fared poorly in the congress. What is more important, though, is that the M-19 gained 35 percent of the vote during the constitutional convention. It is clear that there was voter support for a change in the constitution that would include leftist political movements in the electoral process of the government.

Colombia during the National Front period suffered from a crisis of legitimacy, witnessed by low voter turnout and political violence from the left. This carried past the end of the regime due to the institutionalization of the pact. This led to continued centrist policies and a lack of real political participation from the left, even though they were a "legal" opposition force—and so continued the need for political violence.

In Venezuela, the Pact of Punto Fijo cemented the competition between the two main centrist political parties—Acción Democrática (AD) and the Comité de Organización Política Electoral Independiente (COPEI). In their consolidation of

power, their contempt for the Left was very evident. One of the things that AD claimed to have learned during its experience in the Trienio was the danger of following leftist, populist policies without consultation and inter-elite consensus.¹⁴ In response to mass demonstrations during the transition period, an AD official stated, "The thesis that the streets belong to the people is false and demagogic...The people are the political parties...the organized economic sectors, the professional societies, university groups."¹⁵ Mass action from the left or attempts to undermine stability would not be tolerated. The left was not seen as a viable negotiating partner. This is surprising considering the consensus-building nature of the Communist Party (PCV) during this period and its work with AD and COPEI to undermine the authoritarian regime. The PCV replaced their call for national liberation with democratic slogans to oppose the Pérez-Jiménez regime and appeared clearly dedicated to working within the electoral framework.¹⁶ Exclusion of the left, however, continued.

The negotiations of the Pact of Punto Fijo, which organized the transfer of power and consolidation of the new regime, completely excluded the left. The pact's "Statement of Principles and Minimum Program of Government" set out the basic political and economic program of the new government regardless of the election results. It also set up a pattern for representation within the executive branch of the party not in power. Each party was guaranteed access to state jobs and contracts, partitioning of ministries, and patronage in the spoils system.¹⁷ Although it was less strict than the Colombian model, non-centrist parties were still excluded. To seal the fate of the left, President Bettancourt, in his inaugural address, stated that communism was incompatible with the development of Venezuela.¹⁸ This occurred at the height of popularity of the PCV. The PCV was left with no alternative but to support political violence.

An AD party leader stated:

The fact that in a democratic regime the state and a democratic party such as AD...has been obliged to take coercive measures against a party...is in itself a negative. The fact that as a consequence a party progressive in doctrine such as the PCV should have disappeared...is also negative, because it has left without expression a dense sector that by conviction had its hopes and confidence in those doctrines. At present, that sector finds itself blocked from expressing its opinions...It would be useless also to try to explain whose was the first violence. We believe that if the legality of these two parties had been guaranteed, which is now very difficult because things have reached an irreversible extreme...this would have forced the PCV and MIR to agree not to have recourse to violence.¹⁹

The campaign of violence, however, was short-lived and rather unsuccessful. The left, after its legalization in 1960, has not been very successful in the electoral arena. This is due, in part, to the ability of the government, through oil revenues, to supply the lower classes with general welfare programs without alienating the bourgeoisie. Venezuela had the highest wages on the continent, established price controls and implemented a program of agrarian reform.²⁰ Agrarian reform was carried out easily because it was a declining sector. Overall, though, social reform still followed a centrist course. The main policies of the first six administrations could only be called mildly redistributive. Attempts at major social legislation were very dangerous. For example, the 1966 tax reform proposal almost toppled the government.²¹ Political unrest was only postponed, like a day of reckoning, for when oil revenues dried up.

Overall there was an unhappiness with government, regardless of major economic troubles. Incumbent parties were invariable losers in presidential elections. When the government changed, though, it always alternated between AD and COPEI. "By the close of the 1973 campaign, both AD and COPEI were enjoining voters not to throw away their exercise of suffrage on a party or candidate without any serious chance for victory."²² That same year, though, 35 percent of people polled said that they would support a populist coup.²³ They supported not just a change in government, but a change in policy as well. Leftist parties were also hurt electorally by the fact that Venezuelan elections were the most expensive per capita in the world.²⁴ The only method of obtaining a change, therefore, would have been through a coup. In 1982, John D. Martz stated, "There is a detectable and growing cynicism toward political parties and their leaders in the land; incredulity about the integrity of public officials and skepticism about their capacity to shape and implement an effective national policy in years to come."²⁵ Seventy-eight percent of Venezuelans viewed parties as being exclusively concerned with elections, not policy.²⁶

Charges of corruption also plagued the system. For example, in the early 1960s, the Agriculture Institute spent 50 to 70 percent of its budgetary appropriations on land purchases, in three years that total fell to one-quarter of the budget with the rest of the funds going to salaries and overhead.²⁷ When this is combined with the economic problems of the late 1980s and mid-1990s, it will be clear that political instability is ostensibly inherent in the system created by the Pact of Punto Fijo.

The political instability of 1992 was caused by many factors. President Pérez was seen as rejecting his past ideological base which the people were familiar with. The voters had elected what they thought was "Pérez the populist" and he turned out to be "Pérez the neoliberal."²⁸ Electing Pérez did not create the policy

current expected by the population. He was also accused of corruption, particularly with reference to the way the government was organized.

The relative failure to form a more broadly-based cabinet was another confirmation of Pérez's political weakness at that time and thus was a great spur to his opponents. Calls for the president's resignation intensified, as well as demands for the dismissal of Congress and its temporary substitution by an elected group charged with reforming the Constitution. There were also strong demands for the restructuring of the Supreme Court of Justice and the replacement of its current members, most of them political appointees of either AD or COPEI, with independent judges, as well as a major reform of the highly corrupt and inefficient judicial system.²⁹

Corruption was clearly defined as stemming from the power that AD and COPEI held over the government. The need for reform of the constitution, the basis of organization of government, would indicate an inherent problem in the system, rather than a problem solely with the actors. In *Sic Magazine* in February of 1992, a poll indicated that less than two percent of the population had any confidence in the parties and only seven percent had confidence in the government.³⁰ It is clear that people do not feel that their voices are being heard.

In contrast to Colombia, Venezuela should not have as much a problem unraveling its tight-knit pact structure. The terms of power-sharing are not codified as they are in Colombia. Both countries, however, share a population that feels as if it has lost control over its government. This is a difficulty both countries face in their road to a consolidated democracy, although it may just be slightly easier for Venezuela to overcome than for Colombia. A Presidential Committee to Reform the State was created in 1984 in Venezuela to examine these problems. They recommended a uninominal voting system in order to take control away from parties.³¹ They also recommended a popular referendum on rewriting the constitution. This may aid them on the journey down that road.

Before the authoritarian takeover in 1973, Uruguay's conservative factions found space in the government which contrasted greatly with the experience of the left during that period. The left was frustrated electorally and, therefore, looked to guerilla tactics to gain a political voice. The Tupamaros were one of the most successful guerilla movements of the time. Fear of the guerilla movement has been cited as one of the leading causes of the move to an authoritarian regime. The authoritarian regime in Uruguay was perhaps one of the most brutal in all of Latin America. The transition back to democratic rule in Uruguay deviates significantly from the experiences of Venezuela and Colombia in several respects.

The parties to the pact and the overall structure are key to understanding why Uruguay is more stable than its two counterparts.

In contrast to the Blancos and Colorados (the two main centrist parties), the Frente Amplio (the largest party of the left) is formally structured and organized with a high degree of identification and party discipline.³² When mass mobilization was called for in the process of transformation, neither the Colorados nor the Blancos had the ability to mobilize the masses. The Frente Amplio and its leader, Seregni, also knew that their militant opposition alone could not end the regime. In his first speech after being released from prison, Seregni stressed a conciliatory stance and called for the pacification of the country as the mission of the Frente Amplio.³³ There certainly was not complete consensus within the FA for Seregni's position but supporters relied on organizational discipline to enforce Seregni's line.³⁴ This type of participation in the overthrow of the authoritarian regime was very similar to the experiences of the leftist movements in Venezuela and Colombia.

Important to this analysis is the fact that the Blancos opposed negotiations, hoping that it would improve their chances of control after the eventual collapse of the authoritarian regime. This forced the realization upon the military that they would have to negotiate with the Frente Amplio to prevent a Blanco victory.

The Naval Club Pact between the military, AD and the Frente Amplio sealed the transfer of power and the following day Wilson, the leader of the Blancos, was released from prison and retroactively reintegrated into the political consensus. This is key to the analysis of the differences between Colombia, Venezuela and Uruguay. It is much easier to reintegrate a centrist party into the government (especially one with a history of democratic participation) retroactively, than it would be to do so for a party of the left. By being a party to the agreement, the left was also responsible for upholding that agreement, lest all the parties back out and a return to authoritarian rule occurs. The "terrorist" actions of the left have been cited as one of the causes of the move toward authoritarianism. Their pacification is ensured with participation. The Tupamaro guerilla movement declared "that the newly established democracy was qualitatively different from the conditions of the late 1960s and that therefore public and open political action and not armed struggle was their proper role."³⁵ Their inclusion in the political process, unlike in Venezuela and Colombia, ensured their commitment to working within government to achieve their goals.

The fact that they felt that they could achieve their goals electorally is key. The Pact Club Naval differs from the pacts of Venezuela and Colombia in that it is a pact of *concertación* as opposed to *corporatismo*.³⁶ A pact of *concertación* is an agreement to democratic systems, while *corporatismo* indicates an agreement to

programs and policy. The addition of choice that is extended when a third party enters the electoral spectrum is fundamental to political stability. In the case of Uruguay, the Frente Amplio has had quite a bit of electoral success, garnering 21 percent of the vote in the elections of 1984, and, in 1989, capturing the plurality of votes in Montevideo.³⁷ Although the Frente Amplio has agreed to participate and negotiate with centrist parties and has abandoned its revolutionary stance, it still offers political program and policy alternatives to the Colorados and Blancos. The electorate is also able to register dissatisfaction with the policy rather than just with the incumbent party.

Recent theorists have been criticized for their focus on the electoral process and the functioning of elites as the important aspects of democracy because they do not address the concept of actual representation of the interests of the people. It is clear, though, that there can be wide-ranging results of effective representation within this framework when we discuss the parties to the pacts and the structures of the pacts themselves. O'Donnell and Schmitter, therefore, were not wrong to look to elites or to elections for study, but were wrong in their conclusions. Evidence shows that pacts that include the left and governments that engage active electoral participation from the left are more stable than those that do not. The progression from Colombia to Venezuela to Uruguay proves this. Colombia and Venezuela have taken tentative steps to the real inclusion of the left, but they are still hampered by the details of the negotiated pacts. Their ability to transcend these limitations and follow a path closer to Uruguay will be key to determining the ability to sustain and consolidate their democracies.



Endnotes

¹O'Donnell and Schmitter, "Transitions from Authoritarian Rule," p. 26.

²Ibid., p. 38.

³Ibid.

⁴John A. Booth, "Elections and Democracy in Central America: A Framework for Analysis," p. 18.

⁵Jonathan Hartlyn, "Colombia: The Politics of Violence and Accommodation," in *Democracy in Developing Countries: Latin America*, Boulder: Lynne Rienner Publishers, 1989, p. 292.

⁶Gary Hoskinh, "Colombian Political Parties and Electoral Behavior During the Post National Front Period," in *Democracy*, p. 51.

⁷Ibid.

- ⁸Enrique Baloyra, "Public Opinion About Military Coups" in Democracy, p. 139.
- ⁹Albert Berry, et al., "Post War and Post National Front Economic Development of Colombia," in Democracy, p. 70.
- ¹⁰Hoskin, p. 72.
- ¹¹Daniel Preneo, "Coping with Insurgency," in Democracy, p. 231.
- ¹²Hartlyn, p. 316.
- ¹³Ibid., p. 318.
- ¹⁴Daniel H. Levine, "Venezuela: The Nature, Sources, and Prospects of Democracy," in Democracy, p. 256.
- ¹⁵Ibid.
- ¹⁶Steven Ellner, Venezuela's Movimiento al Socialismo, Durham: duke University Press, 1988, p. 38.
- ¹⁷Terry Lynn Karl, "Petroleum and Political Pacts: The Transition to Democracy in Venezuela, in Democracy, p. 213.
- ¹⁸Preneo, p. 220.
- ¹⁹Robert J. Alexander, The Communist Party of Venezuela, Stanford: Hoover Institution Press, 1969, p. 195.
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- ²¹Frank Bonilla, The Failure of Elites, Cambridge: MIT Press, 1970, p. 144.
- ²²John Martz, "The Malaise of Venezuelan Political Parties," in Democracy, p. 163.
- ²³Baloyra, p. 198.
- ²⁴George Philip, "Venezuelan Democracy and the Coup Attempt of February 1992," in Democracy, p. 163.
- ²⁵Baloyra, p. 210.
- ²⁶Ellner, p. 138.
- ²⁷Powell, p. 163.
- ²⁸Judith Ewell, "Venezuela in Crisis" in Current History, March 1993, p. 120.
- ²⁹Moises Naim, "The Political Management of Radical Economic Change: Lesson from the Venezuelan Experience," p. 154.
- ³⁰Philip, p. 459.
- ³¹Ewell, p. 123.
- ³²Charles Guy Gillespie, Negotiating Democracy: Politicians and Generals in Uruguay, New York: Cambridge University Press, 1991, p. 5.
- ³³Ibid., p. 141.
- ³⁴Gillespie, p. 199.
- ³⁵Martin Weinstein, Uruguay: Democracy at the Crossroads, Boulder: Westview Press, 1988, p. 111.

³⁶*Ibid.*, p. 86.

³⁷Carria Perelli and Juan Rial, "Las Elecciones Uruguayas de Noviembre de 1989," p. 5.

Assessing PD-59

by Laura Paros

Nuclear weapons are a permanent element in international politics. Since the advent of the Atomic Age, the main objective of American strategic forces has been to deter nuclear war. The means of achieving this goal have changed considerably over the years. The various policies which have been designed and implemented have always been accompanied by great debate and discussion. Presidential Directive 59 (PD-59) was no exception. Signed on July 25, 1980 by President Jimmy Carter, PD-59 became the object of both criticism and praise within political and academic arenas. There was great concern that as a strategic nuclear policy, PD-59 was, in fact, detrimental to United States security goals. Others believed PD-59 actually enhanced United States objectives. Reflecting these concerns, this paper will explore the essential elements, assumptions and roots of PD-59, and will present both sides of the debate surrounding it. It will become clear, moreover, that those who favored PD-59 as a sound strategy were correct in assessing its fundamental value as an effective deterrent.

PD-59 was an order redirecting American nuclear targeting strategy. It gave priority to attacking military and political targets in the Soviet Union rather than destroying cities and industrial complexes. Particular priority was assigned to a decapitating strike in which hardened underground shelters, intended for use by Soviet leaders in the event of war, were targeted (Smoke 1993: 218). PD-59's essential emphasis on counterforce targeting was hardly new. The policy actually evolved from a 1976 war plan known as National Security Decision Memorandum 242 (NSDM 242) which called for missiles capable of threatening civilian and military targets in the Soviet Union (Burt 1980a: A3). PD-59 envisioned a more flexible targeting policy which would require sufficient forces and multiple targeting options in order to respond appropriately to any level of aggression. It was to allow the president to order discrete nuclear attacks against the enemy's missile silos, military bases, military forces, and command and control centers rather than forcing an all-out attack on Soviet cities. PD-59 represented a further

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retreat from John Foster Dulles' doctrine of "massive retaliation" (a massive nuclear response to counter any level of Soviet aggression) and an enhancement of Robert McNamara's doctrine of "flexible response" (responding to any level of aggression with a commensurate use of force). As Carter's secretary of defense, Harold Brown, pointed out, "The fundamental premise of our...strategy [is] a natural evolution of the conceptual foundations built over a generation by men like Robert McNamara and James Schlesinger" (United States Senate 1981: 7). He added, "It is not a radical departure from US strategic policy over the past decade or so. It is a refinement, a new codification...of our strategic policy" (US Senate 1981: 4).

PD-59 also envisaged the possibility of fighting a prolonged limited nuclear war, lasting weeks and even months. The directive thus called for the creation of a "secure strategic reserve," a missile force that would not be used in the early phases of conflict but would rather be held in reserve for later use (Burt 1980a: A6). These secure missiles were to be invulnerable to attack and United States leaders would have to be able to communicate with the force in the event of a protracted nuclear conflict.

Essentially, PD-59 emphasized escalation control. It maintained that the key was the survivability and endurance of United States nuclear forces and the supporting communication, command and control, and intelligence (C³I) capabilities (Brown 1981: 386). With strong C³I systems, the United States would not be placed in a "use it or lose it" situation which could lead to all-out nuclear war. The United States could continue to maintain its flexible targeting position by adopting a shoot-look-shoot policy made possible only with strong C³I abilities (Burt 1980a: A6). A new emphasis was placed on the ability to find and destroy new targets once a war began. Under PD-59 new targets could be added to the Single Integrated Operational Plan (SIOP) in wartime, further increasing flexible, appropriate responses (Burt 1980a: A6). The administration frequently asserted the necessity of improving C³I systems as a prerequisite for controlled nuclear escalation.

Although PD-59 embodied strategic changes, the overall objective of deterrence remained primary. PD-59 was a countervailing strategy. It was designed to match Soviet hard-target kill capabilities (Smoke 1993: 221) and to "provide effective deterrence—[to] tell the world that no potential adversary of the United States could ever conclude that the fruits of his aggression would be worth his own costs...[at] whatever the level of conflict contemplated" (Brown 1981: 384). PD-59 purported what the Carter Administration viewed as a more effective deterrent than previous strategies. Brown commented that "because it is a strategy of deterrence, the countervailing strategy is designed with the Soviets in mind."

In this, PD-59 departed from traditional strategic thought. Previously, United States strategists formulated theories of deterrence based on what they believed the United States would least like to lose in the event of war. PD-59 introduced a specific recognition that United States strategy must be aimed at what the Soviets thought was important to them, not just what the United States might think would be important if it was in the Soviets' position (United State Senate 1981: 10). Thus, with PD-59 we see a special attention paid to the Soviet perspective in order to enhance the United States deterrent threat. Brown stated, "We need to be able to show them...that given a nuclear war, what ever it is that the Soviet leadership counts as most important to it, would be threatened and would in an exchange...be destroyed" (United States Senate 1981: 10).

The formulators of PD-59 believed the Soviet leadership most valued its military forces and its own ability to maintain control after a war began (Burt 1980a: A6). Therefore, targeting of military complexes were increased and Soviet civilian and military leaders in hardened underground bunkers were added to the SIOP. This assessment asserts that the Soviets were most likely to be deterred from aggression against the West by the potential loss of control both domestically and internationally. The Soviet Union was, at that time, governed by a highly centralized region which relied on rigid political control to stay in power. Because of this, it follows that Soviet leaders would be extremely sensitive to threats against this control apparatus. It was thought that targeting Soviet party elites, C³I links, and Soviet military officials all as part of a decapitating attack would strike at the core of what the Soviet leadership valued most: themselves.

Through an assessment of Soviet war-fighting models and an examination of Soviet leadership perceptions and values, PD-59 essentially introduced four fundamental changes to the American nuclear strategic doctrine: 1) an emphasis on counterforce targeting; 2) more flexible targeting options; 3) preparations to fight a prolonged nuclear war; and 4) escalation control through strengthened C³I links. These changes were thought to reflect Soviet assumptions about how, when and under what circumstances nuclear war should be fought. This revised strategy enlivened the debate on nuclear policy. Many strategists, military officials and academicians believed that rather than improving the United States' deterrent, PD-59 introduced destabilizing elements which would ultimately hasten the arrival of a nuclear war. Why was their evaluation of PD-59 so drastically different than that of the Carter Administration's?

Threatening military targets rather than cities with nuclear weapons could have made a war more likely by leading Soviet leaders to conclude that the United States was seeking a first-strike capability. Indeed, when PD-59 was released, the Soviets immediately declared that the United States shift in its nuclear targeting

policy was a move toward such a capability. They claimed that the countervailing strategy was actually a war-fighting strategy which would eventually undermine strategic stability (United States Senate 1981: 4). Furthermore, to attack military targets and Soviet civilian and military leaders in underground bunkers, the United States needed highly accurate weapons such as the MX, a sophisticated mobile missile. The MX, scheduled for deployment in the late 1980s, was not only designed to escape a first strike but had the accuracy needed to achieve a first strike (Burt 1980b: A3). During the transition period from conception to deployment, the Soviets may have been tempted to launch a preemptive strike because of their fear of American first strike intentions. If they thought that they could destroy a substantial part of the United States nuclear force, they might try to limit damage to themselves during a crisis. In this sense, PD-59 could have been considered to be destabilizing.

The idea of fighting a prolonged nuclear war was also severely criticized. There is little reason to believe that anything short of an all-out nuclear attack would make military sense to the Soviets. What could they, for example, have possibly gained by detonating a small number of nuclear weapons over Iowa? Kenneth Waltz points out, "States are not likely to run major risks for minor gains" (Waltz 1981: 529). Limited counterforce attacks on American targets would reap few benefits for the Soviets. The thought of such a war continuing for an extended period of time with "tit-for-tat" strikes was almost unimaginable.

In addition, according to Desmond Ball, controlling the escalation of a nuclear war would be impossible. PD-59 emphasized the notion of limited exchanges conducted in a deliberate, measured, controlled fashion (Burt 1980a: A6). However, once a nuclear exchange began, it would become impossible to verify yields, sizes, numbers and types of nuclear weapons used (Ball 1981:29). PD-59 recognized this to a certain extent in calling for strengthened C³I links, but it failed to realize that even this may not have been a guarantee of survival. C³I is a fragile target susceptible to a wide range of physical and electronic threats (Ball 1981: 2). Ball states, "These vulnerabilities impose very severe physical limits to the extent to which a nuclear war could be controlled" (1981: 2). No one knows what would actually happen during a nuclear war, but the likelihood of controlled escalation is small in view of the untested capabilities of C³I systems.

A strategy of deterrence based on nuclear war-fighting below the all-out threshold implied that a nuclear war could somehow be endured or even "won." However, a large scale nuclear exchange by the then-superpowers would have been unparalleled in its destruction; there could have been no victor.

PD-59's targeting of Soviet military command posts and governmental control centers also decreased the chances of limiting a nuclear war. The United States

emphasis on strengthening its C³I links was ironic; it clearly accepted the necessity of protecting government officials in order to better conduct a nuclear war. Without effective leadership such a war could escalate and become absolutely chaotic. Thus, it follows that basing a nuclear strategy on destroying the adversary's ruling elite at the outset would heighten the probability of losing control. Soviet leaders may actually have felt less jeopardized by striking first, especially during the transition period before MX deployment.

Taken together, the elements of America's counterforce nuclear strategy seemed to provide real incentives for Soviet leaders to strike first, thus destabilizing the already precarious nuclear balance of terror. Although the above-cited concerns were valid, critics of PD-59 failed to realize the circularity of their arguments. As in most debates involving nuclear issues, there was a thin separating line between those who supported PD-59 and those who were against it. It is easy to slightly twist the opposing arguments and end up with a completely different conclusion about PD-59's deterrent value.

According to Harold Brown, the United States was not seeking a first-strike capability with its new targeting strategy. In a Senate hearing before the Committee on Foreign Relations he stated, "Nothing in the policy contemplates that nuclear war can be a deliberate instrument of achieving our national security goals, because it cannot be" (United States Senate 1981: 32). He maintained that PD-59 was a strategy of deterrence, which merely specified "what we would do in response to any level of Soviet attack [and] serves to deter any such attack in the first place" (1981: 388). PD-59 was not a war-fighting strategy. Rather, through creative and flexible targeting options, it emphasized that any aggressive Soviet acts would not lead to victory because the United States had the power to not only completely devastate the Soviet Union, but also had the capability to make more selective, limited retaliatory attacks. Furthermore, as Brown pointed out "possession of a capability is not tantamount to exercising it" (1981: 387). The United States has always had the capability of launching a devastating strike against the Soviet Union, but it has never chosen to do so because the costs would have far outweighed the benefits. PD-59 did not take away the Soviet deterrent; it simply enhanced that of the United States.

One must also look at the weapons necessary to achieve a first-strike capability. They must be highly accurate and also vulnerable. PD-59 called for the inclusion of the MX in the United States strategic arsenal not because it wanted to launch a first strike but rather because the MX had the potential to be an excellent second strike weapon. It was highly accurate, which could have led critics to believe it was intended for first use. The MX, however, was intended to be a mobile missile, thus rendering it invulnerable to Soviet attack. Although this goal may

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not have necessarily been achieved, the original emphasis on the survivability of the MX should have alleviated many fears. The MX was not intended to reduce the Soviet overall retaliatory capability; rather, it was intended to increase the United States'. It gave American strategic planners more options to respond to a Soviet attack. The entire period from conception to deployment of any new weapon is inherently destabilizing; the MX should not have been singled out in this regard.

PD-59 was both a theoretical and practical doctrine. Much of what it called for increased the US deterrent threat by showing the Soviets that in

theory they could not expect to win a nuclear war. This was the basis of US preparations to fight a prolonged war with controlled escalation. Brown admitted that it was highly unlikely that escalation of a limited nuclear exchange could be controlled for an extended period of time. However, he maintained that, even given that belief...we must do everything we can to make such escalation control possible...that opting out of this effort and consciously resigning ourselves to the inevitability of such escalation is a serious abdication of the awesome responsibilities nuclear weapons...thrust upon us (1981: 385).

By increasing the survivability and endurance of the US nuclear forces and C³I capabilities, the formulators of PD-59 attempted to enhance America's ability to fight a limited nuclear war. It did not, however, claim that such a war was likely to occur. It was intended to emphasize to the Soviets that detonating a small number of nuclear weapons in a limited attack would not strongly damage the United States ability to respond. With PD-59 the United States would be able counter such an attack in a highly credible manner rather than "automatic, immediate, massive retaliation" (Brown 1981: 388).

PD-59 was heavily criticized for its endorsement of the idea of holding the Soviet political control structure at risk because a targeting of Soviet military command posts and governmental centers could result in a loss of control and an ensuing chaotic escalation in a nuclear war. However, this new targeting objective actually provided PD-59 with its strongest element of deterrence. Deterrence is a psychological game. It revolves around "hidden assumptions about the relationship between power and aggression, threat and response, and the ability of leaders to influence the calculations and behavior of their would-be adversaries" (Lebow 1985: viii). To play the game of deterrence, one must threaten what the adversary

most values in order to influence his or her cost-benefit analysis of any given situation. This is exactly what PD-59 did. It examined the perceptions and assumptions of Soviet decision-makers about power, aggression and threat, and determined that what they most valued was themselves. The Soviet leadership knows through historical experience (from Napoleon to Hitler) that they can suffer enormous casualties and lose a large portion of their industrial base and not merely survive, but actually come out ahead by the end of the war. Thus, the targeting of Soviet cities or economic targets seemed, at that time, to have not been an extremely effective deterrent because of the traditional Soviet disregard of large scale societal destruction. In redirecting America's nuclear targeting strategy, PD-59 forced the Soviet leadership to realize that there was more at stake than "merely" a large portion of their population and industry. PD-59 personalized the threat of nuclear war. It makes sense that if the Soviet leadership believed they would almost certainly die in a nuclear conflict, they would do everything within their power to avoid such a confrontation. This is the essence of deterrence.

Although there were some inherent flaws in PD-59, it was, nonetheless, a sound nuclear strategy. It never deviated from the United States' primary goal of deterrence; only the methods of achieving this objective were changed. Moreover, it incorporated the important issue of Soviet perceptions and assumptions. Previously, no other strategic doctrine paid such close attention to what the other side was "thinking." These hypotheses provided an effective tool in creating a stronger United States deterrent. Those who argued that PD-59 was detrimental to United States security goals failed to realize the importance psychology plays in deterrence. While valid to a certain extent, their arguments about the MX missile, the impossibility of a prolonged nuclear conflict, and the low feasibility of controlled escalation did not account for the fundamentals of deterrence theory. A decapitating strike has a deterrent potency which cannot seriously be doubted. It takes precedence above all other considerations. PD-59 augmented United States security in a time of great tension and uncertainty by employing basic psychological theories, technical knowledge and common sense. It provided the United States with a strong, effective deterrent.

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Norway and EC Membership

by Rune Kongshaug

Norwegian fears of European Community (EC) * membership range from loss in sovereignty to loss of the welfare-state system which has enabled Norwegians to enjoy living standards which are among the highest in the world. The socialist left and the center parties have successfully played on these fears in strengthening the "No" movement.

This paper will show that Norway could benefit economically by staying outside the EC—just as well as a full member—by unilaterally committing itself to the liberal values of free trade. This policy could both ensure the gains from trading in a common market and avoid the politically sensitive question of membership. However, two factors indicate that membership is necessary. First, EC membership will give Norway a political voice, which will enable it to participate in shaping its own conditions to an unprecedented degree. Second, in terms of domestic Norwegian politics, EC membership will help the Norwegian economy to transform its heavily oil-based economy to a more diversified one. This conclusion supports the liberal institutionalist argument regarding the positive role of structures and institutions. In this view, joining the EC would make difficult reforms politically feasible.

The common view among economists is that integration and EC membership will provoke a contraction of the large public economies that are found in many European countries, and especially in the Scandinavian countries. If this is true, membership will pose a serious threat to the Norwegian welfare system. Contrary to this common view, I will argue that the welfare state, especially in the case of Norway, is a cultural and historical phenomenon that would not be influenced by integration into global goods and service markets to the degree commonly thought. Rather, welfare societies such as in Norway (Scandinavia) are highly institutionalized and benefit both the richer and the poorer layers of the society. Also, the

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*EDITOR'S NOTE: THE EUROPEAN COMMUNITY HAS RECENTLY BEEN RENAMED THE EUROPEAN UNION (EU).

welfare state might actually increase efficiency and competitiveness in global markets.

Part I will present the theoretical tools that will be used in the paper. Neoclassical theory representing the conventional view, will be contrasted with socio-political divergence arguments. Also, I will emphasize the special merits of institutions as a policy means. Part II will evaluate the empirical evidence supporting each of the theories in order to determine which theory best predicts the fate of the welfare state. Part III will present a short comparative study between American and Norwegian group interactions. Hopefully, this will help the reader to appreciate the special cultural context of Norway as a consensual democracy, and the Norwegian reluctance to join the EC.

I. Theories of Trade and Integration

This section focuses on the theoretical literature of international trade and integration. First, I will focus on the neoclassical theory of international trade, which will be used in determining the economic costs and benefits of integration. I will emphasize that neoclassical theory predicts a reduction in the size of public economies following integration—what has been called the convergence thesis.

I will contrast neoclassic predictions with socio-political divergence arguments advanced by scholars like David Cameron and Peter J. Katzenstein. The latter stress the point that factors such as the size of a country, dependence of trade, political culture, interest groups and the way interest groups interact are more important in determining the size of the public economy than integration into global goods and service markets. In this view, strong public economies might even increase competitiveness and the (social) stability that is crucial to compete in global markets. Finally, I will present the argument of liberal institutionalists such as Robert O. Keohane, regarding the positive role of supranational structures or institutions, such as the EC, in realizing long-term goals that would be otherwise domestically difficult to implement otherwise. The goal is not to account for costs and benefits from integration in economic terms only, but to grasp the socio-political constraints on economic integration as well.

Neoclassical theory

Welfare is maximized through an efficient allocation of resources, which is assured through profit maximization and trade. Profit maximization is the rule all economic actors should follow in order to achieve the best use of scarce resources. Trade permits each country or region to specialize in the production of goods where it has a comparative advantage, and hence allocate scarce resources effi-

ciently.

For the purpose of this paper, it is important to note that a small country, like Norway, gains more from trade with a large country than does the large country. This is due to the fact that the small country's terms of trade will improve more relatively than the large country's terms of trade. Proportional to size, the small country can export a larger number of goods to the large country's market and, hence, specialize more. This is very important if states are more concerned by relative instead of absolute gains. It also means that protectionism is more detrimental in terms of welfare to a small country like Norway than it is to a large country.

Various neoclassical models demonstrate the benefits from trade (Appleyard & Field, 1992). Models exist for both perfect and imperfect competition, the former assuming economies of constant return to scale and no price setting, the latter taking into account increasing economies of scale and monopoly power. In addition to Ricardo's traditional model, where comparative technological advantage is the basis for trade, three models will be of particular importance for this paper. First, the Heckscher-Ohlin model emphasizes that international differences in endowments (capital, skilled and unskilled labor) create a basis for trade. Welfare gains are obtained from the specialization in production that uses the abundant factor intensively. For Norway, this would mean specializing in capital-intensive sectors, since capital is a relatively abundant factor in Norway due to comparatively high saving rates. Second, the specific factors model emphasizes that international differences in the sectoral distribution of sector specific capital is a basis for trade. Welfare is maximized by specializing in the sector where most capital is installed. Third, the Stolper-Samuelson theorem contends that: "the increase in the price of the abundant factor and the fall in the price of the scarce factor because of trade implies that the owners of the abundant factor will find their real income rising and the owners of the scarce factor will find their real incomes falling" (Appleyard & Field, 1992). This income effect is important to be aware of as the "losers" may have to be compensated.

Neoclassical theory argues that integration will create strong incentives to reduce the public sector in the economy (Cusack and Garrett, 1992). Government spending and taxation are judged to be constraints on growth, especially as domestic markets integrate into the global economy. Public sectors of the economy are judged to allocate resources inefficiently as they are affected by concerns other than profit maximization. Heavy taxation is judged as being a disincentive for domestic investment. This forces governments to adopt more market-oriented strategies so as not to undermine economic performance.

The power of governments to intervene with macroeconomic adjustment poli-

cies (affecting budgetary balance and interest rates) is also greatly reduced in an open economy. In a small, open economy, such as Norway's, where foreign trade exceeds 50 percent of GDP, Keynesian demand management is largely ineffective, as foreign demand can be as important to the domestic economy as domestic demand. Open economies need stable financial markets to prosper, as well as government commitment to not allow excessive exchange rate fluctuations. This further weakens the government's role in conducting independent adjustment policies in the domestic market. Lowering the interest rate (expansionary policy) runs the risk of provoking a depreciation of the currency, which could cause outflows of reserves and private capital. Economic pressures are thus strong to convert towards the *lowest common denominator* of government intervention (the convergence thesis).

The Welfare State and Socio-Political Divergence Arguments

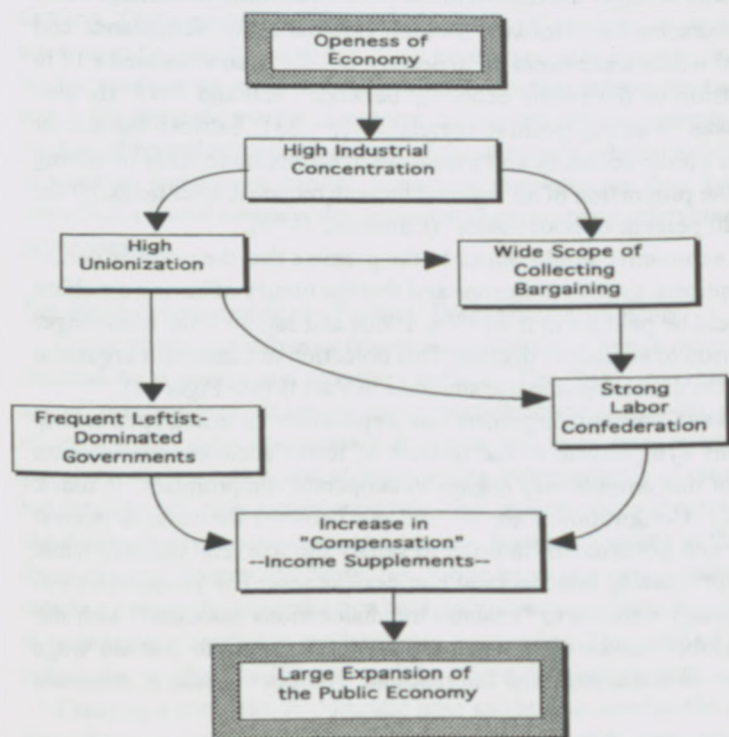
Governments can influence domestic economies by means other than Keynesian demand management and monetary policies. The "big" government or "tax and spend" rhetoric, popular among American politicians and media, portrays the role of government quite inaccurately. It is true that in an integrated open economy, governments lose power and utility in acting independently of other governments, but they can still play a stabilizing role, and, indeed, play a crucial role in promoting domestic competitiveness and growth. Instead of acting at the margin to redress cyclical booms and busts, the public economy can participate actively in creating a competitive production base, infrastructure, education and R&D, which is increasingly needed in modern open economies. This kind of government involvement is what shall henceforth be called the welfare state.

Creating a competitive domestic base might also involve the institutionalization of social structures that promote universal health care, education and adequate standards of living for the entire population. Not surprisingly, the welfare state might take on egalitarian undertones as expressed in the Norwegian and other Scandinavian cultures. Redistribution assures both social stability and a more educated and skilled working force (this is further treated in Part III).

The socio-political divergence arguments are expressed by scholars like David Cameron (1978), Peter J. Katzenstein (1985) and Aschauer (1989), Porter (1990) and Soskice (1991).

Cameron's argument strictly opposes the neoclassical argument. He stresses that openness of the economy, integration and dependence upon the world economy, will lead to an expansion of the public economy. Due to specialization, small, open economies are likely to attain high industrial concentration in a few competitive sectors. This facilitates unionization, strong labor movements, and col-

Figure 1. *The Domestic Consequences of an Open Economy*



— from Cameron's 1978 paper

The Liberal Institutionalist Argument

The liberal institutionalist argument is advanced by scholars like Robert O. Keohane. The argument is very relevant for Norway when it considers membership in the EC. One of my main arguments in favor of Norway's EC membership is that being part of an institutional structure, such as the EC, is a means toward maximizing national sovereignty. Norway cannot stop the integration process, which is changing the traditional pattern of anarchy. New means of enhancing national sovereignty must be sought. The EC will facilitate stability and growth

by ensuring the following: continuity of policies, in that expectations of gains extend further into the future than the term of a domestic government (which is prone to provoke instability by easing economic policies in order to satisfy electoral demands); reciprocity, by the linkage of issues; flow of information, which makes it more difficult to cheat (i.e., beggar-thy-neighbor policies) and easier to keep up with competition and, finally, means to resolve conflict both as a European political entity on subjects like disarmament, pollution and peace mediation, as well as internally by having institutionalized channels like the Court of Justice to settle disputes. These advantages are especially well perceived in relation to environmental problems, which must clearly be dealt with in cooperation. Also, institutions will facilitate the convergence and cooperation on economic policies which is needed for stability and growth, as pointed out by the previously mentioned neoclassical theory.

Clearly, integration is a complicated process and many conditions must be satisfied before Norway should risk its sovereignty. Joseph Nye points out that at least three conditions must be satisfied. First, the EC must assure distributive equity to prevent asymmetric gains from integration. This is crucial in order to address states' fears of losing, in relative terms, from integration. Second, membership should have low (exportable) visible costs. This is very important as a country is unlikely to join if the price it has to pay is judged excessive. The price to pay might be the cession of control over natural resources (which can be perceived as a loss in national sovereignty), and in form of dislocations of traditional (but uncompetitive) social structures and industrial sectors. Third, the perceived external cogency can be an important motivation to join or not to join. Many argue that the European integration process was set in motion by the need to unite in view of growing external threats coming from the former USSR after World War II. States like Finland and Austria could not join the EC because of the same external threat, and, thus, adopted a 'forced' neutrality. Denmark, the UK and Norway have traditionally favored cooperation with the US within NATO. Credible prospects of European integration in political and strategic issues have motivated Norway to consider membership more seriously.

There are strong concerns in Norway that it might lose in relative terms and pay excessive costs if it becomes an EC member. The EC is seen especially as a threat to national control over natural resources: fisheries, oil and natural gas. Also, EC membership is seen as a threat to the welfare system, which permits a highly subsidized agricultural sector (which by far exceeds EC's permitted standards), and, production, cultivation and settlement of remote areas in the Arctic. The next section will analyze the empirical evidence of the various theories above.

II. Economic Benefits from Integration and the Role of the Welfare State

This section attempts to quantify the results of the previous section. First, in order to assess economic benefits from integration, and to identify the "losers" and "the winners" from integration, a computable general equilibrium (CGE) of international trade will be used. Implications on relative goods and factor prices, real income and changing patterns of industrial production will be emphasized in the case of Norway. This analysis will show that Norway has everything to gain from liberalization through a more efficient allocation of resources. From a purely economic perspective, these benefits can be obtained either unilaterally or as a member of the EC.

Second, empirical evidence relative to theories of divergence will be analyzed. The aim is to add the political factor to my cost-benefit analysis. Whereas computable general equilibrium demonstrates the pure economic costs and benefits, it is necessary to test neoclassical trade theory, especially concerning the role of the public economy, in a larger cultural and historical framework. It is crucial to my thesis that a cost-benefit analysis of joining the EC cannot be seen from a purely economic perspective only. Indeed, the empirical evidence below will demonstrate that culture accounts strongly for the way interest groups interact with government, and for the shaping of public opinion. The size of the welfare state depends more on culture than on the integration into global goods and service markets. This is based on the studies of Thomas R. Cusack and Geoffrey Garrett.

Integration and Effects on: Comparative Advantage, Terms of Trade, and Welfare

The general equilibrium analysis conducted by Jan I. Haaland is captured in models with perfectly competitive markets. The merits of this model is that it takes into account that EC integration might affect some markets more than others, which results in changes in comparative advantage and in the terms of trade both within the EC and globally. Assuming perfect competition simplifies the model. Imperfect competition—which might better portray the real world—will most probably have dampening consequences on the quantitative results but in qualitative terms (in what direction changes occur) the conclusions still hold (for further information, see Haaland 1992 and Norman 1989a-b).

The purpose here is to focus on the welfare effect on Norway. This cannot be done without first assessing the shifts of the general equilibrium. Also, only by considering the welfare effects for the EC and EFTA can the reader appreciate the relative gains for Norway from participating in the integration process.

General Equilibrium

The predicted effects of integration are illustrated by comparison to a reference scenario that assumes a continuation of the situation before the single market of 1992, i.e., no integration as depicted by the Single European Act (SEA). The reference scenario assumes saving rates close to recent historical average, some growth in the skilled/unskilled labor ratio in the industrialized regions but not in the developing countries (the latter because of high population growth projections), uniform technological progress in all regions, no change in trade or industrial policies, and no international capital flows in the solution year 2000. The year 2000 has been chosen to compare the benefits from integration with the reference scenario. The benchmark values present the economic data for 1979.

Three different scenarios of integration are presented. The first scenario, EC integration, reflects productivity shifts and gains calculated in partial equilibrium models. It is important to note that gains are expected to be higher the more important the economies of scale, product differentiation and imperfect competition are in the sectors. This means that gains are suspected to be higher in the high-tech sector than depicted here, as this model assumes perfect competition. The second scenario, EC integration and reduced subsidies, depicts production shifts and gains from reduced subsidies. Subsidies are used to protect European industries from both foreign and internal competition, and at least the latter is expected to be reduced after 1992. Jan I. Haaland assumes that subsidies are reduced by a conservative two percent. The third scenario, EC integration, reduced subsidies and liberalization within the EC, assumes that trade policy—tariff and non-tariff barriers to trade—are reduced by 10 percent. Protection in the EC is strongest for raw materials and labor-intensive products, and weaker for high-tech products. Hence, a reduction for all sectors reinforces the advantage of the high-tech sector in the EC.

The gains from integration may be larger for the EFTA countries than for the EC in certain industries (Norman, 1989a). This should be an important incentive for the EFTA countries and, in particular, Norway, to enter the integration process. This finding supports the idea that a small unit (country or region) gains relatively more from trading with a larger unit than the large unit does. Also, Haaland highlights that his estimates, in fact, underestimate the benefits to the EFTA countries. Within EFTA, the comparative advantage in the capital intensive sector is too large to really alter the production pattern significantly.

Integration takes place both in the EC and EFTA, except for the first case. It is calculated as an aggregate of production improvements, terms of trade effects, "second best" effects, and "dynamic" effects. The second-best effects take into account exogenous shocks to production—the fact that general equilibrium changes

due to integration might induce productivity of heavily subsidized sectors (like the labor-intensive ones) and hence a negative effect on welfare (dead-weight loss). The dynamic effects takes into account changes in factor (capital) endowments following the exogenous shocks to production. A positive capital shock implies increased total savings and investment.

For the purpose of this paper, special attention should be given to the fact that, in relative terms, the EFTA gains more than the EC from improvements in terms of trade. The terms of trade improvement is due to the fact that both regions are importers of high-tech goods for which the world market price goes down substantially. Also, it should be noted that the second best effects are more important in the EC than in EFTA as resources are shifted away from protected, less competitive, capital and labor intensive sectors to more profitable high-tech sectors. In this model, reduction of subsidies and liberalization takes place only in the EC and the production of capital-intensive goods remains heavily based on subsidies and protection in the EFTA countries. However, EFTA countries, Norway included could change the pattern of production and increase second-best gains by unilaterally reducing subsidies and by liberalization.

Effects from Integration on Norway

Norway is a small country, and will be affected by the general equilibrium depicted above whether it chooses to join or not to join the integration process. This part will show the important relative gains in welfare Norway will obtain by integrating economically, reducing costs and changing industrial and trade policies—or the relative losses and decline Norway will inflict on itself by not doing so. Again, becoming a member is not a prerequisite for harvesting these economic gains. Reduction in costs and changes in industrial and trade policies could, at least theoretically, be done unilaterally, or in the framework of the European Economic Space (EES), of which Norway is a member. Later, I will address the fact that this might not be politically feasible.

One important condition differentiates Norway's production structure from other EC countries in that the capital-intensive sectors are, on average, much more energy and raw material intensive than in other EFTA and EC countries. This is mainly linked to Norway's industrial policies (subsidies and public ownership, such as Statoil). This leaves capital-intensive and high-tech sectors as the potential growth sectors in Norway. With reduced subsidies and protection, the high-tech (skill-intensive) sectors gain markedly, and the second-best welfare gains are substantial. Also, the terms of trade effects are more important for Norway than for EC and other EFTA countries (Norway imports both capital-intensive and high-tech goods). On average, Norway also has higher savings rates than the EC

and EFTA, and these are assumed to remain high with net savings rates of 15 percent. This explains the higher "dynamic" effects.

The model assumes that the growth of the labor force for the next 20 years will be reflected by an increase of skilled workers (14 percent increase). A current account surplus is also assumed during this period. Oil production, which is enormously important for the Norwegian trade balance, as well for the budget balance, and hence for the national welfare, is suspected to increase in the 1990s and then level off.

So who are the "winners" and who are the "losers"? From the Heckscher-Ohlin results, we would expect strong growth in the capital-intensive sector because of higher capital growth in Norway (due to high spending) than on average. The results portrayed in Table 6 also reveal a comparative advantage in high-tech goods. The reason for this is that other parts of the world, like Japan, will also be capital abundant, which somewhat diminishes Norway's comparative advantage. Also the expected energy prices are disadvantageous for Norway's capital-intensive industries which are also energy and raw material-intensive. Finally, the expected rise in the supply of skilled labor will also increase the comparative advantage of high-tech (high-skill) sectors.

The public sector is assumed to not change its current production. The diminished share of GDP is due to the changes in relative factor prices, which cause a reduction in public production costs.

The relative wage of skilled workers is predicted to increase by 18 percent, and relative wages for unskilled workers by 84 percent (due to their diminished share of the working force)—which will favor the hiring of skilled workers even further. (Haaland points out that with the narrowing of the wage differential of skilled and unskilled workers from 75 percent to 12 percent, skilled labor might not take on the proportion expected here.) The results also point to the fact that there is no room for expansion of raw materials production in Norway, which comprises highly politically sensitive sectors like agriculture and fishery—unless there is a 100 percent increase in subsidies.

Again, changes in world prices govern the changes in Norwegian production and welfare (Haaland, 1989). For the purpose of this paper, it is important to evaluate what trade policies Norway could unilaterally adopt in order to maximize welfare facing more or less protectionist world conditions.

Role of the Public Economy

Neoclassical trade theory predicts that economic integration will cause a contraction of the public economy. This, however, is taking into account economic forces only. Empirical findings presented by Cusack and Garrett suggest that socio-

political divergence, as expressed by Cameron and Katzenstein, might be closer to the truth than the neoclassical argument. Hence, social and political forces favoring strong public economies seem to overshadow economic forces of convergence. This paper suggests that the welfare state is actually quite successful in promoting growth and competitiveness.

Economic conditions in Europe have changed since 1978 when David Cameron found a strong positive correlation ($r=.78$) between an increase in the public economy and openness to trade. The first oil crisis started a period of economic decline in Europe, which saw only a partial recovery in the 1980s. Keynesian demand management policies that were employed after the first oil shock proved to only provoke further instabilities. The welfare state has been attacked for promoting inefficiencies, and for being a luxury that is not affordable any more in a period of economic decline. Also, the 1980s saw unprecedented integration of financial markets, which further limits the power of domestic governments (Cusack and Garrett, 1992). Indeed, the expansion of the public economy might slow down, but not revert. The "welfare crisis" is one of policy choice rather than a diminished role for public economies due to integration.

Three conclusions can be drawn on what determined the size of the public economy during the period 1962-1988. First, decline in government spending responded differently to the two oil crises. After the first oil shock (1974-1979), expansionary Keynesian policies were used, quite unsuccessfully, and after the second shock (1980-1988), more austere policies were employed. Policies might have converted in the direction of less expansionary stabilization policies (because of the limited power of the domestic government in controlling economic forces in an open economy), but the structure of the welfare state has not changed. Second, spending patterns in countries with traditionally strong labor unions and leftist parties were stronger compared to those countries where labor is weak and conservative parties dominate. Interestingly, public spending in the small, open economies of Belgium, Denmark, Norway and the Netherlands were not responsive to changes in the political center of gravity, which is due to a highly institutionalized form of welfare system (this will be further treated in Part III). Third, although openness might create incentive to reduce public intervention (through eliminating inefficient stabilization policies and public sectors), this is offset by the incentive to expand the public economy created by "historical relationships between openness and political structures (Cusack and Garrett, 1992).

Thus, even in a period of relative economic decline and constant attack from Anglo-Saxon and American Neoclassicals, Cameron's socio-political divergence argument seems to hold. The reason is to be found in the fact that small, open economies like Norway—which have been trading actively long time before any

one knew about Keynesian demand management—have, through the welfare state, institutionalized a social structure that both promotes competitiveness and growth. The reason why the welfare state works might be cultural, and it might not work in the US, but it does represent an alternative to American *laissez-faire*.

III. Domestic Constraints and External Challenges

The topic of this paper is to evaluate the best policy that Norway should adapt vis-a-vis the EC in view of external challenges and domestic constraints. As Martin Saeter puts it, Norway is a country "on the periphery" and is profoundly affected by changing external conditions (Möttölä and Patomäki, 1989). The EC will affect Norway's society and welfare whether Norway becomes a full member or not, especially since Norway is already a member of the European Economic Area, which will enter into force at the end of 1993.

In view of the evidence presented above, this section will emphasize that Norway should pursue EC membership, and that EC membership is an opportunity for a small country like Norway to actively participate in shaping Europe's and its own future. Conservatives and the Labor Party in Norway have worked to move Norway toward the EC both economically and politically. However, the EC membership issue means more to Norwegians than just economic benefits. The EC is perceived as a threat to both sovereignty and to Norwegian culture, as expressed through a consensual democracy.

Because of the terrible political and social turmoil provoked by the 1972 referendum, where the Norwegian people said "no" to EC membership, EC membership has been avoided as a political issue in Norway until the 1980s when Norway could simply no longer escape from the EC dynamics and the prospects of the Single European Act. Norway is highly dependent on the EC market for more than 70 percent of its trade (Martin Saeter). Liberalization of the Norwegian foreign economy in the late 1970s and early 1980s made all illusion about Norwegian economic independence disappear, at least among politicians in the center of the political spectrum, conservatives and most Labor Party members.

In order to understand the problematics of the EC question in Norway, it is necessary to take a closer look at the political and social structure in Norway, which depends on a "deeply rooted pattern of cultural norms and values" (Martin Saeter).

Domestic Constraints (to Membership)

The EC membership issue is particularly sensitive in Norway. The 1972 referendum provoked the downfall of two governments and split political parties, organizations, interest groups, and even families, into "hostile opposite camps"

(Saeter). This fragmentation was an unprecedented occurrence since autonomy was obtained from Sweden in 1905, and struck at the heart of the consensus democracy. National control over resources is another point on which Norwegians will be intransigent. This is due to the fact that Norway's economy (and welfare) is largely oil-based (capital-intensive) and that diversification of the economy will both take time and political will.

The Consensual Democracy

In order to explain the importance of the consensual democracy structure as a constrain to integration, it will be helpful to compare the United States with Norway. Important differences exist between group behavior (group being defined as individuals or organizations) in these two countries. The explanation is cultural and historical—undoubtedly it does make a difference that the United States is a very large, heterogeneous society, whereas Norway is a small, homogeneous one. The ensuing arguments will be based largely on Robert B. Kvavik's study on Norwegian interest-groups.

According to group theory, group behavior in the United States corresponds to the model of competitive pluralism. In Norway, corporate pluralism better reflects how groups interact, at least at the organizational level (the electoral and legislative process being competitive). Each model is governed by a distinctive set of norms and values.

Competitive pluralism is the laissez-faire model of pluralism. It is characterized by the "competitive interaction of unrestrained groups" (Kvavik, 1976). It must be understood that: 1) The group's goal is the *raison d'être* for the group; 2) The group is motivated by self-interest and the expectation of rewards; 3) Lobbyists are often used as an intermediary between the group and the government; and, 4) The group will have to compete with the conflicting interests of other groups and reach a compromise-solution (Does this remind us in any way of Congress?). In many respects the public policy that results from this model is a "by-product of goal-maximizing competing groups" (Kvavik). Sometimes groups become more influential than others by having more access to information, financing or organization, which permits collective bargaining between larger groups, for example between automobile workers and automobile producers. The government intervenes as to assure the competitive nature of the model thorough for example, anti-trust laws.

The corporate pluralist model is characterized by the "interdependence and interpenetration of the private and the public sectors in the formulation of public policy" (Kvavik). A few aspect are crucially different from the competitive model.

First, the relationship between state and private actors is highly formalized

(often labeled institutionalized pluralism), or better; the interaction is rationalized in that the stability that results from the model is purposefully sought by all parties. Second, groups and organizations behave like monopolies, in that each group (or a small number of inter-related groups) controls functionally distinct issue areas. In this manner, a few peak-organizations like the Norwegian Employer's Confederation (Norsk Arbeidsgiverforening) with 50 functionally specific employers' groups, and Labor Unions (Landsorganisasjonen i Norge), which regroups 38 national labor unions, will actively participate in the elaboration of policies. The representatives of the various organizations, political professionals and technocrats, interact at the governmental level. The model puts constraints on both governments and organizations in that governments have few or no substitutes (cannot set competing groups up against each other), and organizations must be sure that their demands are not excessive in a manner which will undermine their position in the future. It favors reaching a consensual solution to problems.

Third, the degree of fragmentation is crucial for the functioning of this model. When fragmentation occurs, it is usually "along functional lines with functional reasons" (Kvavik). Increased fragmentation means a dispersion of governmental power. Fragmentation is a problem to this model when more types of demand rise within an organization which puts strain on its capacity to set goals. Fragmentation in Norway is low, which is not surprising in a relatively small homogeneous society. Finally, this model assures very strong political, social and economic stability. The Norwegian government recognizes the monopoly held by a certain group in a specific area. This makes it difficult for new types of demands to challenge an interest constituency that is already in place. No one will, for example, challenge the legacy of the demands of the organization representing "fishery," which are part of the governmental institution. This also assures: 1) attainability; the groups are confident and expect to have satisfied their demands; 2) the absence of a sense of deprivation; 3) the idea of 'sharers' as opposed to zero-sum competition of resources; and, 4) that self-interest operates only to the point of satisfying one's own needs.

This society of sharers, where "winners" and "losers" are absent, is not Utopia. The norms and values present in Norwegian group behavior exist in all Scandinavian countries in form of a commitment from both rich and poor that government should assure a high standard of living to everyone, and not merely a minimal standard of living to the most unfortunate segments of the population. This is not to say that there are not disagreements on the extent of redistribution (taxation of the rich) and who should receive and how much. These disagreements do not, however, question the legitimacy of the welfare state.

The fragmentation inflicted on Norway by the EC referendum in 1972 seri-

ously shook the foundation of Norwegian institutional pluralism by breaking up the consensus on which the Consensual Democracy and the welfare state was based. Not surprisingly, a majority of Norwegians still perceive the EC as a threat to Norwegian welfare and culture.

Natural Resources

During the years of steady growth in the 1950s, 1960s and early 1970s, the Norwegian government was able to satisfy increasing demands from groups and individuals. Today, in a period of relative economic decline, some neoclassicals, in particular, predict that the corporate pluralist model or consensual democratic society will erode. As rising expectations can no longer be satisfied, groups will increasingly have to compete for resources. In Norway, this is not yet a problem, as the government has been able to satisfy the rising expectations, thanks to oil revenues. Hence, Norwegian welfare is closely linked to oil, and, in view of the above, ceding the national control over oil resources to the EC is correctly perceived as a threat to sovereignty, welfare and culture.

At some point in the future, Norway will have to transform its oil-based economy into a more diversified one. After all, oil is a non-renewable resource. Haaland's study also demonstrated that Norway will have a competitive advantage in high-tech (high-skill) goods. However, these transformations require time and, during recession, Norwegians are reluctant to face increased international competition, especially when Norwegian international market-shares are going down (OECD, 1992 Report). There seems to be no reason why Norway should give away its resources when it will benefit equally from the Common Market within the EEA framework. Let me note that the fishing industry does not have a very large impact on the Norwegian economy, although sharing territorial waters with EC members might cause further dislocations in Norwegian coastal areas. Fishing is a very socially sensitive issue that can mostly be related to a desire to preserve political and social stability.

External Challenges

Norwegian Prime Minister Gro Harlem Brundland, who has been struggling hard for both EEA and EC membership, said that "non-membership will not mean doom and gloom for Norway." This statement portrays the idea that Norway might prosper economically in the EEA. However, as a non-member, Norway will have a very limited political voice and will have to react passively to EC policies. As a member, Norway can actively respond to external challenges and contribute to EC policy-making. However, without a special agreement with the EC stipulating that Norway maintain sovereignty over fishery, oil and natural gas, the govern-

ment threatens to withdraw its application. This is, in my opinion, a tactic of last resort to ensure membership by forcing EC negotiators to realize that without a special agreement Norwegian voters will certainly say "no" again.

Regardless of what the outcome of the referendum is, I will stress how EC membership will assist Norway in overcoming both domestic constraints and responding to external challenges. In view of what has been said in this paper, three arguments can be made in this regard.

First, like any other small trading nation, Norway has very limited powers in adjusting domestic economic fluctuation, which are largely dependent on external conditions. It has also been mentioned that by committing itself to less subsidizing and to liberalization, Norway can unilaterally diminish its reliance on oil resources and gain substantially from a potentially competitive high-skill sector. This must be done sooner rather than later, since Norway might lose in relative terms if it does not manage to keep up with the dynamics of the Common Market. This scenario is not likely to happen, however, unless the Norwegian government finds a means to render such an unpopular policy credible.

Increasing expectations of organizations and individuals in Norway's institutionalized pluralist system makes a such a change in policy excessively unpopular, and, thus, highly unlikely. Consensual democracy is based on balance and stability, and the demands of the various constituencies are indeed legitimate. As long as there still is oil, any government that commits itself to transform the traditional pattern will not have a very long political life. In today's Norwegian political system such a policy is simply not credible. Joining the EC could help solving this problem. As pointed out in Part I, institutions make difficult long-term goals more credible, and hence more feasible. EC membership is necessary in order to achieve a more diversified economy. The EC might be the best policy means to achieve domestic goals and changes. In this manner, EC membership will maximize the capabilities of the government to act domestically.

Second, EC membership will also maximize Norway's external influence. Within the EEA, Norway has to adapt to EC legislation without having any formal say in deciding the principles on which legislation is based. As a member, Norway will have a political say, and in alliance with other Nordic countries, a small country like Norway might be able to affect external conditions to an unprecedented degree. The integration process in Europe might also proceed to develop a common European policy in strategic matters and security. No alternative cooperation scheme is available for Norway if both Sweden and Finland become members. It clearly is in Norway's interest to participate in the political debates that will determine its security and welfare.

Finally, EC membership will strengthen and not weaken the Norwegian wel-

fare society. This paper strongly suggests that integration will strengthen those social structures that have traditionally developed in small, open economies. This is not to say that the welfare state will not have to scale down its expectations of never ending growth. As resources are scarcer rising demands in Norway will not be satisfied. There is no reason to think that this will undermine the welfare state, however. Consensual democracy is based on sharing pain as well as benefits. Various organizations and groups receive their rewards only after having presenting a demand that is acceptable to the other groups. If resources are scarce, organizations' demands will have to promise more efficiency and pay-offs.

The empirical evidence presented in this paper strongly suggests that EC membership is an opportunity for Norway in that it will maximize both Norwegian sovereignty and welfare.

The traditional definition of sovereignty might involve notions such as: independence, self-determination and the ability to act unilaterally. These powers are highly limited in an integrated world economy where goals are more efficiently pursued through cooperation. Joining institutions is a highly efficient means toward setting agendas and resolving conflicts. Norway should not deprive itself of the opportunity to actively influence its own future welfare and security within the EC framework. Also, Norway can contribute with a strong political culture that might render Europe more democratic and just.

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