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THE DIALECTICS: JOURNAL OF LEADERSHIP, POLITICS, AND SOCIETY

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THE DIALECTICS

An Introduction

The Dialectics: Journal of Leadership, Politics, and Society is a refereed, multidisciplinary electronic publication housed at the Abington College of the Pennsylvania State University. The Journal's aim is to promote discourse and scholarship and to encourage students to pursue and engage in thoughtful discourses on topics of societal importance.

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DEDICATION



Ellen M. Bard
1949-2009

Ellen M. Bard was the Pennsylvania State Representative for the 153rd District from 1994 to 2004. This is the legislative district in which Penn State Abington is located. Ellen committed herself to assisting this college in every way she could, and, starting in 1995, actively served on the college's Advisory Board. At the Board meetings, she was particularly interested in our students, making sure that we were providing educational opportunity to all. While she left the college before the founding of *The Dialectics*, those of us who worked closely with her are certain that she would have enthusiastically embraced its philosophy and cheered its progress. It is in that spirit, reflecting Ellen's forward-looking and optimistic nature, that we dedicate this issue of *The Dialectics* to her memory.

Ellen was born in Minneapolis, Minnesota on January 11, 1949. She moved to Anchorage, Alaska when she was six months old. Ellen went on to attend Pomona College, where she received a B.A. in English Literature and then attended Boston University, where she earned a masters degree in Communication Research. At that time, she met her future husband, Rob Stiratelli, also a student in the program. Once married, Ellen and Rob constructed an off-the-grid alternative energy cabin in New Hampshire. As a result of this experience, Ellen decided to redirect her career towards energy and energy policy and returned to school, earning a second masters degree in Management Science from MIT's Sloan School of Management.

When Ellen and Rob moved to Abington in 1983, Ellen started her own computer supply company. Two years after the birth of their daughter Allison, Ellen organized Earthright, a local environmental group that championed numerous environmental initiatives. Earthright continues its efforts and still meets on the Penn State Abington campus.

Ellen was subsequently elected to public office in 1990 as an Abington Township Commissioner. Later, in 1994, she was elected to the first of five terms in the Pennsylvania House of Representatives. Her signature issues included energy policy, community environment, medical liability, fiscal responsibility, and educational funding. She was the prime sponsor of 18 bills that are now law and was responsible for the creation of the Drug and Alcohol Resistance Education (DARE) license plate.

While in the Pennsylvania House, Ellen served on numerous committees and was chair of the Environmental Resources and Energy Committee's Subcommittee on Energy. She was later appointed chair of the Task Force on 21st Century Energy Policy for Pennsylvania, which drafted legislative initiatives that led to many of the current state programs in alternative energy, conservation, and sustainable development. On the national level, Ellen was elected to the Executive Committee of the National Conference of State Legislatures, where she served as vice chair of the organization's Energy and Transportation Committee. Because of her efforts, Ellen was the recipient of numerous awards and honors. Throughout, despite her countless legislative and community commitments, Ellen maintained her role as a dedicated and loving mother and wife. After an unsuccessful primary bid for a seat in the United States Congress, Ellen returned with Rob to Cambridge, Massachusetts. In April, 2009, she was diagnosed with pancreatic cancer. Ellen passed away on October 28, 2009, leaving a legacy of dedication to civic action.

A CALL FOR ESSAYS

The Dialectics: Journal of Leadership, Politics, and Society will accept, on a rolling basis, high quality essays on issues of public importance. We search for papers that have a single thesis, are focused, identify significant societal and global issues, and offer creative solutions or specific recommendations for addressing the challenges. Students from undergraduate and graduate institutions in the United States or abroad are cordially invited to submit their work for review.

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THE INTERNMENT OF JAPANESE-AMERICANS: PUBLIC FEARS AND FEDERAL RESPONSE

*By George Maliha**
Princeton University

Writing on the Japanese Internment and racial hatred, Howard Thurman (1996), black preacher and civil rights activist, declared “[d]uring times of war hatred becomes quite respectable, even though it has to masquerade often under the guise of patriotism.” However, the Japanese-American internment was more complex than a manifestation of racial discrimination under the auspices of patriotism during wartime. The United States was at war with Germany and Italy as well, yet only Japanese-Americans were confined. Some have contended that it was the failure of the Japanese-Americans to fully assimilate into American society that allowed them to become targets. This explanation, though, is still unsatisfying as there were also Little Italys along with Little Tokyos throughout the country. In previous wars, such as the First World War only twenty years before, select political groups had been targeted—communists and socialists, for instance—but only after distributing anti-war literature. More puzzling were the seemingly divergent trends within American society. The same newspapers and institutions that demanded that Japanese-Americans be “evacuated” called for a celebration of freedom and attempted to remind the public of the constant struggle against totalitarianism abroad. Why were Americans willing to advocate for such a contradiction? And, more fundamentally, why did the American government move to divert military resources to evacuate and intern thousands of productive, hard-working citizens?

The internment of Japanese-Americans, then, deserves more than a superficial glance. The factors that led to public fear of and anxiety towards the minority were not the same considerations that weighed on military and executive officials. Within the events that would ultimately lead to the oppression of 100,000 individuals, the impetus to intern American citizens evolved. The fearful public did not intern Japanese-Americans; the military, after consultation with the War and Justice Departments and the approval of President Franklin Roosevelt, executed the act. However, the public’s anxiety, society’s soaring patriotism, and Washington’s blatantly unconstitutional decisions were linked. In fact, the seeming paradox of the public rallying towards the national war effort yet stridently calling for a solution to the Japanese-American “problem” was actually a manifestation of a more fundamental process. The public, confronted by Japanese military successes and isolated attacks on the West Coast, feared Japanese-Americans. Self-interested elements took advantage of public sentiment and injected racism as a “justification” for the internment. Reflecting these opinions, local politicians and the media brought the Japanese-American issue to the national attention. The executive was then forced to intervene and establish internment in order to prevent a public panic and maintain the West Coast’s war machine. Also desiring to facilitate the prosecution of the war, the other

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branches of the government sanctioned the program. Hence, the pressures of public anxiety and war suppliers, conveyed by the media and local politicians, forced the federal government to intern Japanese-Americans, sacrificing minority rights to successfully maintain the war effort against totalitarianism.

The public's initial response to the bombing at Pearl Harbor illustrated the general drive in society to fight the war, yet it also demonstrated an anxiety over the loyalty of Japanese-Americans. A day after the attacks, on December 8, 1941, anti-Japanese sentiment was relatively muted and the public was generally concerned with war preparations ("Civil Defense Plans," 1941). Indeed, the *Los Angeles Times* editorial board urged citizens to not stir up racial fears or riots, declaring that "some...[Japanese-Americans] are loyal Nisei [second-generation Japanese who were American citizens] or good Americans" ("Death Sentence," 1941). However, this brief period of goodwill quickly eroded as more information from the Pacific front began to filter into the country. Japan had temporary naval and aerial supremacy over the Pacific as its attack at Pearl Harbor had sunken two battleships, damaged four others, and destroyed hundreds of planes (Rehnquist, 1998). American Admiral Samuel Eliot Morison described this situation in the Far East as "calamitous" for the Allies (as cited in Rehnquist, 1998). However, the war also came closer to home. In February 1942, a Japanese submarine shelled oil fields near Santa Barbara, and carrier-based planes attacked the Aleutian Islands, further heightening fears that a West Coast invasion was imminent (Rehnquist, 1998). With the war so close and threatening to come closer, West Coast residents began to fear Japanese-Americans as potential saboteurs, especially after an investigation of Pearl Harbor revealed that Hawaii had been infiltrated by Japanese agents (Rehnquist, 1998).

While legal historian Peter Irons (1983) identifies the shift in public opinion six weeks after the war began, *Los Angeles Times* articles indicate that anti-Japanese anxiety started to tick upwards as soon as war was declared. The fears were increasingly manifested in public hatred and discrimination against Japanese-Americans. As early as December 9, federal authorities revoked many of the business licenses in Los Angeles' Little Tokyo, and local police banned parking in the district, damaging the commercial interests of many Japanese-American citizens and beginning their displacement ("Little Tokyo," 1941). Even though these actions could be justified in terms of preventing subversive activities, the increasing anti-Japanese-American sentiment in the public schools revealed that the society's broader attitudes were rapidly changing ("Schools," 1941). General anxiety permeated the West Coast as authorities received reports of Japanese-American farmers and fishermen waving "mysterious" lights on the sea shore—although none of the reports were ever substantiated by the FBI (Cray, 1997). Thus, fearing an attack from the Japanese Empire, Americans on the West Coast began to doubt the loyalty of their fellow citizens.

Under the backdrop of such public anxiety, influential interests that stood to profit from internment entered the public discussion and exploited society's fears. While many agreed with the essence of a *Los Angeles Times* editorial that urged readers to consider Bill of Rights Day and reflect on the freedoms for which the nation was fighting, such a commitment to liberty and public fear of jeopardizing it could be exploited ("What the Bill of Rights Means Today," 1941). For instance, Californian farmers supplied the military with rations and kept pantries on the home front stocked (Taylor, 1942). Local officials were forced to listen to the demands of the individuals who were vital to the war effort, such as the managing secretary of the Salinas Grower-Shipper Association, who declared, "If all the Japs [Japanese-Americans] were removed tomorrow, we'd never miss them in two weeks And we don't want them back when the war

ends, either” (Taylor, 1942). After all, these farmers could acquire land owned by Japanese-Americans at low prices if the minority was interned (Taylor, 1942). Thus, local officials, under pressure from a fearful public to deal with the Japanese-American issue, were now lobbied by powerful economic interests.

Additionally, much of the American war production was concentrated on the West Coast. Southern California was a hub for aircraft manufacturing, and Pacific shipyards helped replenish Allied shipping at a time when the Allies were losing hundreds of thousands of tons of cargo to German submarine attacks (Nash, 1990). A potential panic, then, could easily derail the war effort, since riots or civil unrest could delay factory orders. Reflecting this general fear in society and demands by influential citizens, the *Los Angeles Times* also reversed its previous stance and pressed the military to remove Japanese-Americans from sensitive areas. More interestingly, the same editorial board that urged readers to honor the Bill of Rights also asserted that the military had the power to “evacuate” Japanese-Americans from areas near defense installations (“Facing the Japanese Issue,” 1941). These assertions reveal the complexity of the internment issue. While race was certainly a component, society’s response to Japanese-Americans reveals the public’s growing consensus that these citizens were a threat. Racism, then, provided some with the justification for internment. The strength of demands by the fearful public, powerful interests, and the media ultimately motivated local politicians to act.

Meanwhile, with a crisis brewing on the West Coast, the media and elected officials transmitted public panic and conveyed the demands of interest groups to the federal authorities. Columnist Walter Lippmann, in his nationally-syndicated “Today and Tomorrow,” urged his readers in the interior states and the East Coast to consider the West Coast as a theater of war. The writer further attempted to dispel “unrealities” that an overt act must be committed to warrant action or that a restriction of liberty on a single group would infringe upon all of society (Lippmann, 1942). As an influential columnist, Lippmann could convince many Americans to support internment as a necessary consequence of the war effort. In his opinion, it was reasonable to sacrifice a minority to protect freedom.

To make matters more complex, 1942 was a mid-term election year, and many elected officials wished to avoid being portrayed as “soft” on the Japanese-American issue. For instance, Governor Culbert Olson of California and the state’s Attorney General Earl Warren (later a Chief Justice of the Supreme Court), were vehement in their calls for the “evacuation” of Japanese-Americans, even though Olson had attempted to quell anti-Japanese sentiments in the days after Pearl Harbor (Irons, 1983). Thus, politicians who had initially advocated for tolerance and had wanted to quiet public fears changed positions and pressed for internment (Rehnquist, 1998; Irons, 1983).

With the media and state officials pressing for action, the federal government stepped into the fore (Grodzins, 1949). While, in the aftermath of Pearl Harbor, the government had dealt primarily with foreign nationals on the West Coast, quickly arresting them to assess their loyalty (“City Springs to Action,” 1941), public demands conveyed by politicians and the media forced federal involvement in dealing with U.S. citizens of Japanese descent. Indeed, these concerns were rendered even more important as the government was determined to protect new war industries and factories sprouting up on the Coast. So, what began as public fears on the West Coast was now a national issue demanding a solution from the federal government.

However, the government struggled to placate public fears in order to maintain war production and simultaneously protect minority rights. There was also confusion on the issue among public officials. For instance, in response to an inquiry on internment, Congressman

Leland Ford of California received contradictory answers from federal officials. While U.S. Attorney General Francis Biddle had indicated that internment would not be possible unless the writ of habeas corpus was suspended, the Secretary of War Henry Stimson had noted that the army would provide the proper facilities “to the extent necessary” (Irons, 1983). Appropriately, the Justice Department was hesitant to agree to such a rash move with questionable constitutionality. In contrast, the War Department had indicated that the army was able to organize and execute a mass evacuation and that it was just a matter of practicality and receiving the orders. Considering their respective responsibilities in the government, the responses of the two cabinet members were not inappropriate. The Justice Department was committed to protecting the rights of Americans at home, yet the War Department was attempting to protect the nation from abroad.

The opposing sentiments do not indicate the full extent of the conflict, however. Lieutenant General John DeWitt, the head of the Western Defense Command, initially did not think that internment was necessary, believing that the army could root out isolated disloyalty (Irons, 1983). He also felt that mass internment of Japanese-Americans would alienate loyal citizens (Irons, 1983). On a more legal ground, DeWitt believed that he could not order mass evacuation since “[a]n American citizen, after all, is an American citizen” (Irons, 1983). Only after conferences with local officials discussing public attitudes and West Coast defenses was the general persuaded to drop his demand for a limited loyalty program and to advocate for full “evacuation” (Irons, 1983). The military, then, changed its policy after discussions with local and state officials, who attempted to satisfy their constituencies. Now under pressure from the military, even the Justice Department acquiesced and allowed the War Department to take the lead. Thus, political pressures influenced the military to create the “necessity” for internment in order to satisfy public demands, eliminating a potential distraction from the war effort and depriving Japanese-American citizens of their fundamental rights.

While internment was superficially a failure of government and military officials as well as of civil liberties activists to protect an American minority, the decision to intern represented a tradeoff that those officials were willing to accept. Ironically, many of the major decision makers in the internment were lawyers, well-versed in constitutional law and rights (Ball, 1984). These officials felt that to protect the nation (and its freedoms) as a whole, the rights of a small minority would have to be impinged. Indeed, in former Chief Justice William Rehnquist’s view, it was not the duty of military officers to make civil liberties calculations but simply to defend their posts expediently (Rehnquist, 1998).

Even the American Civil Liberties Union (ACLU), which later coordinated many of the efforts to challenge the internment in the courts, raised no objection at the time the program was approved (Rehnquist, 1998). In fact, the organization actually barred constitutional challenges to the program (Irons, 1983). This action was intriguing as the ACLU’s mission was to protect minority rights, indicating that the group viewed the internment as a way to protect the nation. Therefore, in order to fight the war against totalitarianism, the government acted under public pressure to eliminate what it perceived as a threat to war production and deprived Japanese-Americans of their rights.

As for the president’s role, no records have been found that indicate that President Franklin D. Roosevelt expressed any objections or constitutional concerns to internment (Rehnquist, 1998). In fact, in 1936, well before the attacks on Pearl Harbor and three years prior to the generally accepted year of the Second World War’s commencement, Roosevelt, when

discussing potential war preparations, had indicated in a memo to his Chief of Naval Operations that

Every Japanese citizen or non-citizen [including Japanese-Americans] on the island of Oahu who meets these Japanese ships or has any connection with their officers or men should be secretly but definitely identified and his or her name placed on a special list of those who would be the first to be placed in a concentration camp in the event of trouble (Irons, 1983).

Years later, the official action that authorized the internment of Japanese-Americans was an Executive Order, not an act of Congress. Ironically, Attorney General Biddle, who had initially opposed the entire idea of internment as illegal, changed course and assured President Roosevelt that the program could be authorized solely by an executive order (Irons, 1998). Thus, in Executive Order 9066, the president granted the military, for the most effective prosecution of the war, the power to prescribe zones from which civilians could be excluded. Although the order did not mention Japanese-Americans, it was never used on other minority groups and did not interfere with the ongoing FBI investigation of foreign nationals. Thus, the order was primarily directed at Japanese-American citizens. Under pressure from the War Department to pass enforcement legislation, Congress yielded to the executive branch and rapidly passed Public Law 503 within hours of the bill's introduction (Irons, 1998), despite Senator Robert Taft's objections that the bill would never be deemed constitutional during a time of peace (Taft, 1942). Although Taft's criticisms were disregarded, he attempted to halt a drive to intern Japanese-Americans simply because they were perceived to be a threat. As the executive desired to keep the war effort moving smoothly, internment was codified into American law and the lives of 100,000 Japanese-Americans living on the West Coast would be forever changed.

The judiciary, too, would eventually succumb to the pressures of maintaining the war effort. Although many have criticized the Supreme Court's decisions in the three main Japanese internment cases, *Hirabayashi v. United States*, *Korematsu v. United States*, and *Ex parte Endo*, it was understandable for the court to defer to military judgment, since it was difficult for the judges to ascertain the exact conditions under which an order was issued (Stone, 2007). However, the desire to not interfere with the prosecution of the war destroyed rational judicial inquiry, since the court disregarded evidence and timed the issuance of its opinions in coordination with military actions. The court struggled with these decisions as the justices desired to protect the war effort yet were also nagged by the fundamental question of constitutionality. The result of such struggles would be legal obfuscation and impassioned dissents. Hence, the court, while revealing some skepticism toward the internment, proceeded to keep the war effort unhindered, sacrificing the rights of Japanese-Americans.

In the first case, *Hirabayashi v. United States*, the court implicitly condoned the internment program as a justified military act and simply avoided the internment issue. Although the court accepted the curfew order that General DeWitt had imposed on Japanese-Americans living on the West Coast, the decision failed to deal with Civilian Control Centers, which were the first step towards internment. The concurring opinions written by three justices who had initially dissented (but changed their votes at the urging of Chief Justice Harlan Stone to maintain a unanimous court) revealed this fundamental struggle (Finkelman & Urofsky, 2008). Justice William Douglas, for example, stressed that while the military was normally the best judge of necessity in crisis, guilt and disloyalty remained personal characteristics: a whole ethnic

group could not be condemned. Justice Frank Murphy echoed these sentiments as he stressed the wide latitude the executive had in a time of war and the need for perhaps constitutionally-murky actions. However, he warned that constitutional boundaries still applied. He even went as far as to say that the curfew (not internment) bore similarities to the Nazi's Concentration Camps for the Jews. Thus, there existed an almost schizophrenic impulse in the court to grant the military leeway while still trying to suggest that there were constitutional limits. Thus, the court refused to deal with substantive issues yet began to at least question the military's unfettered judgment of threats, revealing its struggle with sustaining the war effort while also protecting citizens.

In the next, more famous case, *Korematsu v. United States*, the justices bitterly contested whether internment was actually necessary to the war effort. The court officially concentrated on a minor issue (DeWitt's restriction on travel along the West Coast) but again neglected the compulsory registration at Civilian Control Centers (Finkelman & Urofsky, 2008). Significantly, the author of the majority opinion, Justice Hugo Black, conceded that the threat of Japanese invasion had passed and that the West Coast was no longer in any danger of sabotage by Japanese-Americans (Irons, 1983). Justice Felix Frankfurter concurred that the court had no business at all in scrutinizing military actions (Irons, 1983). Interestingly, a dissenting Justice Robert Jackson, normally a supporter of expanded government, revealed a strain within the court between a desire to not interfere with the prosecution of the war and the protection of constitutional freedoms. Ultimately, the majority found that the supposed Japanese threat had passed yet maintained that the actions of the military should be supported in full, regardless of the actions' dubious constitutionality or logic. Hence, the court struggled to justify internment in order to support a war against totalitarianism but deprived a minority of the freedoms for which the war was waged.

The final case, *Ex parte Endo*, however, represented one of the most tangible instances of the judiciary's conflict between its role as the protector of justice and its desire to support the war effort. This case practically reversed the entire internment system. By holding that the government could not hold Mitsuye Endo, a loyal American citizen, indefinitely without cause, the basis of the internment program was struck. More significant than this decision, though, was the court's delay for several weeks in releasing its opinion; two days after the unanimous opinion was announced, the military declared that it would free Japanese-Americans and allow them back on the West Coast (Irons, 1983; Finkelman & Urofsky, 2008). Evidence that came to light in the 1980s revealed that Chief Justice Harlan Stone had been communicating with War Department officials on the political timing of the opinion's release (Irons, 1983). This delay, then, represented a failure of the court to perform its constitutional duties as it attempted, in its view, to protect the nation, needlessly lengthening the imprisonment of Japanese-Americans in the interior.

These cases represent the culmination of the legal battles surrounding the internment of Japanese-Americans on the West Coast after Pearl Harbor. The fearful public and self-interested war contractors pressured state government officials. These politicians, worried about popular backlash in the upcoming elections on the Japanese issue, succumbed to the tide of opinion. The media, too, reversed its stance to reflect public sentiments. At the urging of the press and local politicians, the federal government stepped in to protect vital war industries on the coast and placate an anxious public. In ensuring that the war machine against totalitarianism would run smoothly, the government deprived a minority of its rights. Checks and balances failed to protect Japanese-Americans as all branches of government sacrificed domestic freedom to maintain unfettered support for the war abroad. Indeed, attempts to reverse such violations of rights in the

courts failed until the military had decided that the necessity of mass internment had passed. The events of the internment of Japanese-Americans, then, represent a dark chapter in American legal and civil rights history. However, while a repeat seems unlikely today, the episode provides insights into how American institutions, attempting to ensure a smoothly-running war machine, respond to public outcry and fear.

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BEING MOMMY BEHIND BARS: THE PSYCHOLOGICAL BENEFITS OF CHILD VISITATION WITH INCARCERATED MOTHERS

*By Terrence Bogans**
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Chapel Hill

Today in America millions of children are being torn away from their mothers, and it is perfectly legal. No, there is no loophole or obscure wording in the law to make this possible. Over 1.5 million children in the United States have at least one incarcerated parent, and our legal system is prohibiting these children from being able to have visitation with their incarcerated parents, specifically mothers. Many argue that children should in no way be exposed to prison, and that any visitation of an incarcerated parent is both emotionally unhealthy and detrimental to a child. It is true; prison is a cold and awful life situation for anyone to experience. But, regardless of what incarcerated parents may have done, they still have children who depend on them. The law has ignored this fact, stating that the courts have the ability to deny visitation if they find it would be detrimental to the child. But what factors exactly determine detriment? Often, the factors used to prove detriment are not based on any actual evidence; the stigma surrounding incarceration is all that is needed to establish “detriment.”

The field of psychology has taken a different perspective on incarceration than that taken by the legal system. Psychological experts understand that withholding a child from her mother is often more detrimental than exposing her to the world of prison. By denying visitation, the legal field has simply been narrow-minded in its policies and perspectives on incarcerated parents. This dichotomy between the psychological and legal fields is what inspired my research. In this paper, I argue that child visitation with an incarcerated mother has positive psychological effects on both the child and the mother. First, I will examine the current barriers for incarcerated mothers to gain visitation of their children. Second, I will analyze how child visitation of incarcerated mothers affects the development of the child, parental strain, and the mother-child relationship. Lastly, I will discuss the future implications on society of the increased child visitation for incarcerated mothers and the children themselves.

Incarcerated parents often long to maintain or mend their relationship with their children. Many mothers would want nothing more than to get the chance to see their child, and try to comfort them with love and an explanation. Yet, even if the family wants to participate in visitation, the process is not easy. Pamela Lewis (2004), a family lawyer, argues that although courts have indeed agreed that visitation is a fundamental right that incarcerated individuals should have, there are numerous legal barriers and prison regulations that prevent visitation from occurring as much as needed. She points out several legal factors that prohibit child visitation. First she cites the case *Alexander v. Alexander*, in which “the Kentucky Court of Appeals held that incarceration does not preclude or interfere with the parent’s right to a hearing on the matter of visitation.” This means that regardless of a parent’s incarceration, she still has a right to petition the court for visitation. However, as Lewis describes, the hearing usually proves to be

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problematic, as there is limited access to legal services involving domestic issues for incarcerated parents. Many states only provide legal counsel to incarcerated parents when their rights are being terminated. The courts have set up an impossible situation by expecting a mother to win visitation without providing her the legal aid necessary to prove that visitation will be beneficial to the child. These regulations are flawed because states are either outright denying or making it extremely difficult to even fight for one's child.

Another legal factor that prevents child visitation for incarcerated mothers is the "best interest of the child standard," the test used in most jurisdictions when deciding on issues of visitation and custody (Lewis, 2004). This test allows visitation to be determined solely by the opinion of the court. Lewis claims that the test is not a factor-specific one, meaning that individual cases and circumstances are not taken into consideration. Ultimately, the decision often resides on personal bias rather than facts. This is a major defect: a legal system that supposedly sets out to rely only on the facts and hard evidence is falling short of that promise.

When it comes to prison regulations, prison administrators can enforce visitation restrictions so long as they are "rationally related to a legitimate penological interest" (Lewis, 2004). Cultural biases can occur, however, because it is extremely difficult to make a rational decision with the vast amount of negative attention incarceration receives. Through education, the media, employment, and even the law itself, "criminals" have had their human qualities stripped away and are often portrayed as demonized creatures, lacking any of the qualities that make for a good citizen. If those in power believe the stigma that surrounds incarceration, their views can be slanted and an unjust assessment of visitation can be made.

In regards to the visitation rights of incarcerated parents, especially mothers, there has been a cold stance taken that avoids the true needs of the parent's rehabilitation and the child's development. Many believe that visiting an inmate is detrimental to the child. Costa (2003), a legal scholar, discusses how prison is not a healthy environment for children as "it epitomizes all that is unhealthy and dangerous." She asserts that it is unfair for an innocent child to have to attempt to understand that her parent did something "bad" and has to stay at that "very bad place." The constant tension of visiting an incarcerated mother and the emotional trauma of having to say "goodbye" is detrimental to the child's development, Costa argues. "Prison is not an atmosphere appropriate for the growth maturation of our youth. 'Ah what childhood memories these kids will have'" (Costa, 2003).

Costa exemplifies the blanket bias that is present in our society, which in turn is reflected in the laws. The "facts" are simply not supported by research. More attention must be given to psychological research, which takes a less slanted stance on incarceration. Benjamin Stewart (2002), a legal scholar, argues that more psychological research needs to be done to continue assessing the positive effects on development of child visitation with incarcerated mothers. In his analysis of several studies and programs, including Project H.I.P. ("Helping Incarcerated Parents"), Stewart concludes that: (1) there is no reason to believe that visitation in prison is more harmful to children than other types of visitation with a non-custodial parent and (2) there is no evidence that mere exposure to the prison environment leads to long-term harm in children. As an individual who spent a large portion of my childhood visiting my incarcerated father, I could not agree more with Stewart. Although I understand that everyone has his or her own unique experiences, I always looked forward to these visits rather than having any feeling of anguish or anxiety. If more research is conducted, maybe it would be discovered that I was indeed the norm, and not the exception. Following Stewart's suggestion, I will next move on to the psychological outcomes of child visitation or denial thereof.

Using the psychological research that is available, findings consistently conclude that when a child is withheld from visiting his or her mother, negative side effects occur. However, when visitation is allowed, there are numerous positive implications. Snyder et al. (2001) find that when a parent is incarcerated, the child has an increased risk to suffer from anxiety, depression, sleeplessness, anger, and attention deficiencies. However, these risks can be alleviated through visitation programs, and parenting classes can improve the relationship between incarcerated mothers and their children (Snyder *et al.*, 2001). If visitation is allowed, then the problem may be prevented earlier and the child's future will be more promising as a result (Snyder *et al.*, 2001). Clearly, parenting classes must be utilized more; the classes would be beneficial for parent, child, and other family members. And, since prison today is a business, the parenting classes will ultimately be more economical. Although it appears that adding a new program would be more expensive, I believe that the parenting programs will actually reduce the overall costs related to the incarcerated parents' mental and physical health treatments because of the motivation that parents will gain by having continued positive contact with their children.

Numerous negative issues such as attachment disruption, disorganization, delinquency, risky behavior, and even risk for future incarceration are correlated with a child having an incarcerated mother (Dallaire, 2007). However, "visitation with parents has been identified as a protective factor in the population of children with incarcerated mothers" (Dallaire, 2007). I agree completely that there are numerous psychological benefits in a child's development when he or she is able to visit an incarcerated parent. The child will have a better understanding of her parent's situation, have a possibility of a stable relationship, and can reach a more mature mental state. Since research clearly proves that the child will benefit from continued visitation, I will move on next to how the parent is affected.

Child visitation will help ease parental stress while incarcerated. Being arrested can be one of the most tragic and confusing events that can occur in one's life, and having a child will certainly complicate the experience for most. Many negative side-effects come with a mother being incarcerated. Arditti et al. (2003) found that economic hardship is dramatically increased with the incarceration of a parent, along with parenting strain, emotional stress, and concerns about children's loss of involvement with their incarcerated parent. I argue that each of these issues can increase the amount of stress surrounding the incarceration of a mother, and perhaps delay her release by slowing the rehabilitation process. A mother's motivation can quickly evaporate while her child is being withheld. Poehlmann (2005) discusses how incarcerated mothers usually experience trauma and depressive symptoms when separated from their child. The results were powerful as mothers "depicted their initial separation from children as intensely distressing, and some women described suicidal thoughts or actions in reaction to loss of contact with children" (Poehlmann, 2005). However, the negative side-effects are alleviated with increased contact, providing a better mother-child relationship (Poehlmann, 2005).

The mother-child relationship is especially threatened when an incarcerated mother is forced to give her child up to foster care. Child visitation eases the strain and complications of foster care. Mothers, often temporarily, lose their children to the foster care system when incarcerated. It is very difficult for a mother to handle the emotional strain with losing a child and balancing the legal means of regaining custody of that child. Beckerman (1989) highlights several problems that arise during this process, including how the mother can stay involved in the case planning while behind bars. Beckerman describes how "[c]aseworkers' ability to arrange for visitation and maintain the mother's involvement may be curtailed by time, cost, and logistical factors unique to the imprisoned population." The mother can be overwhelmed with

worrying about her child's welfare, their current relationship while still incarcerated, and how their incarceration will ultimately affect their relationship and the family upon release (Beckerman, 1989). Increasing visitation would allow the mother to maintain a relationship with her child, calm her down, and allow her to explain to the child their current situation. The child needs to know, from the mother herself, that she is fighting for the child, and that she has not abandoned the child.

Additionally, increased visitation will help the reunification process between mother and child. During the stressful and seemingly never-ending process of regaining custody of one's child, visitation can help motivate the incarcerated mother and encourage her not to give up in battle. Rosenberg (2000) cites the legal case *Precious J v. Contra Costa County Department of Social Services* in which the court ruled that if the prison had granted the mother more visitation rights, she would have had the motivation to complete her sentence and follow all the appropriate procedures to reclaim custody of her daughter. The court's decision points to a vital portion of my argument. Child visitation does, in fact, give mothers the motivation they need to make the appropriate changes in their lives and return to society, the very notion of rehabilitation. If child visitation is a determining factor in this process, then it needs to be approached more readily. The growth in the amount of rehabilitation successes of incarcerated mothers can reach levels higher than any other group of incarcerated individuals.

Increased visitation will also have a positive impact on the broader society by helping break the cycle of crime. Indeed, there are studies that find that a child's risk of one day being incarcerated is increased if that child had a parent who was at some point incarcerated. Conner (2008), for instance, discusses the relationship between visiting an incarcerated parent and future acts of domestic violence against women. However, I argue that if visitation is increased, children will better understand the consequences of committing crimes. Furthermore, I believe that the individuals who have actually committed crimes are the best teachers in informing children on how to avoid the same mistakes in their lives. This notion has been tested and proven in several pioneer programs across the United States, including an organization that I have volunteered for throughout my college career. The program, based in North Carolina, is called Our Children's Place (2010), which is a

residential initiative allowing young children (babies and preschoolers) to live with their mothers while the women serve out their sentences for nonviolent offenses. It is designed to: (1) break the intergenerational cycle of crime, poverty, substance abuse, and family violence, and (2) empower the child with the help of his/her mother to enhance his/her cognitive, social, physical and emotional development.

Our Children's Place shows great promise and has had nothing but great results. It is these types of ground-breaking initiatives that have really been able to grasp the true effects of incarceration on the parent and the child. Unfortunately, current policies have generally disregarded the subject and have allowed societal perceptions of crime, rather than true academic research, influence legislation. In recent years, the field of psychology has made great strides in assessing the true effects of incarceration on children. Experts have proven that child visitation is positive for both the parent and the child. Child visitation must be increased in order to alleviate the psychological strains that take place during incarceration. Better-informed visitation policies may even break the relentless cycle of crime.

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POST-POST-RACIAL: CITIES, REGIONS, AND A 21ST CENTURY AMERICAN DREAM

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Since President Barack Obama's election, many pundits have intensified their efforts to frame the world in a "post-racial" narrative. In this narrative, the playing field is equal, as illustrated by the election of Obama, a multi-racial president. This, pundits imply, precludes any need to struggle for racial equality. Individuals can be judged purely by the content of their character and the strength of their responsibility—not by the color of their skin. Indeed, during the recent elections, Obama once critiqued race-neutral ballot initiatives on the grounds that they "crippl[ed] efforts to break down historic barriers to the progress of qualified women and minorities...[not believing] opportunity guarantees made to one group must come at the expense of another" (Connerly, 2008). In response, Ward Connerly (2008), the chairman of the American Civil Rights Coalition, shot back in the *Wall Street Journal*. He pointed out that to target opportunities through affirmative action policies is to discriminate, creating winners and losers. He asked: "How does Obama expect America to compete with China and India when we abandon the principle of individual merit and elevate skin color and sex above performance?"

Although such statements may satisfy many and can be used with great political calculation by others, any look into our cities and regions shows that the landscape of opportunity is far from equal. Ironically, one of the major drivers of this inequity has been the very idea that is often cited as the great ideological equalizer and the cultural engine of success: our beloved American Dream. The institutions and the public policies that fueled this Dream historically discriminated access to opportunities and now affect the opportunities of today. The Dream was a powerful myth—the unfaltering success of individual responsibility. And it shaped the very physical landscape of our nation—a sprawling region, dotted with rows and rows of houses with green lawns, white picket fences, and top-notch schools (Farrar, 2008), separated by concrete freeways from deteriorating houses, businesses, and public schools of the inner city. This inequity harms all, even those who live far from it. It requires our nation to re-conceptualize its approach towards the cities, think regionally, and promote an economy of inclusion, opportunity, and possibility. We need a new paradigm for a 21st Century American Dream.

A look at several key socioeconomic indicators challenges the essential assumption of the post-racial narrative—that the landscape of opportunity is equal. Wolff's (2007) study of a

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Federal Reserve dataset revealed dramatic racial wealth disparities. Families of color, on average, own 16 cents to the white family's dollar (Wolff, 2007; Domhoff, 2009). Importantly, a distinction is made between wealth and income. Wealth refers to net assets (such as stocks, bonds, and real estate), while income simply refers to the sum of all earnings a person receives, such as a salary. In his study, Wolff (2007) refers to the way wealth is a more reliable socioeconomic indicator for economic mobility, innovation, and economic reinvigoration. Indeed, racial wealth disparities, then, stymie the strength of the economy as a whole through untapped potential and inequitable access to opportunities.

This demographic inequality is informed by geographic inequality, as low-income groups are often locked into regions that actually sabotage their efforts to achieve equality. John Powell's work in opportunity mapping visually represents this dynamic. Mapping major metropolitan regions across the United States, Powell (2003) finds that African Americans and Latinos are more likely to live segregated in areas of low opportunity. Here, opportunity is not only defined by financial wealth; opportunity is also access to healthcare, clean environments, jobs, and quality education. His maps provide a telling story that opportunity is not evenly accessible across regions, and, much like Wolff's analysis, the unevenness of opportunity has only intensified over the past 20 years. One can then argue that it is not simply a question of hard work. Not everyone has a fair chance—many encounter barriers to opportunity that cannot be overcome simply by hard work. Both hard work *and* opportunity are needed to attain the American Dream.

The focus on race and opportunity does not also mean barriers to class and gender relations are absent. Experiences in race, class, and gender are intertwined. Wolff (2007) illustrates stark, and growing, economic inequalities in the United States. For instance, 84.6% of the total net worth in the United States is derived from the top 20% (the top 1% held 34.3% of that worth), while the bottom 80% only held 15.3% of that net worth. Gender, too, also plays a factor. Women still only make 81 cents for every dollar that men make, and this inequity persists despite educational attainment. Working-class whites also face disparities in opportunity, but a distinction must be made: a family of color (or even a woman of color) is more likely to face a double whammy, including having less wealth and/or being segregated in low-opportunity areas. The issue is not black and white. Access to opportunity is not only about race; it is also about class and gender.

The Discriminatory Underside of the American Dream

One of the key drivers of this inequitable landscape of opportunity has been an exclusive and material version of our American dream of single-family dwellings. Post-World War II policies that promoted housing and transit infrastructure allowed single-family homes to be built en masse in new “suburban” areas, away from the city. Metropolitan areas exploded into sprawling landscapes. Marked by large lots and single-family housing, sprawl is a form of development biased toward the outer edges of the city and makes the automobile the most convenient mode of travel. In the decades following World War II, the Federal Housing Administration (“FHA”) and the Veteran’s Administration (“VA”) refused to underwrite mortgages to urban developments and encouraged growth in the urban periphery on “a scale virtually unknown in U.S. history,” with subsidies totaling \$53 billion annually by 1984—five times more than all direct federal expenditures for housing (Hanchett, 2000). A massive growth in suburbanization ensued, with more low-density, single-family homes ordered about a

normative vision of the ideal American society centered on privacy and ownership. These housing policies also interacted with transit policies. With the passage of the Highway Act of 1956, \$27 billion for 42,500 miles of expressways were allocated on the premise of linking central cities with sprawling suburbs via automobile transit, and removing slums that threatened the “public health, safety, morals, and welfare of the nation” (Mohl, 2000). Investments in these new expressways subsidized further suburban development and facilitated dramatic demographic out-migration (especially “White Flight”) from the city.

Although it may be hard to hear, this housing and transit policy is also a history of discrimination. Access to these opportunities was limited on the basis of gender, race, and class. For example, the FHA Underwriting Manual denied mortgage loans to female-headed households for many years. The FHA also prevented integration of both lower-income residents and minorities through redlining practices, and even encouraged developers to write restrictive covenants into all deeds, legally blocking the sale and purchase of homes to specific groups (Hanchett, 2000). As recent as the 1960s, one suburb—Levittown, Long Island—did not have a single resident of color in a town of 82,000, more than a decade after the Supreme Court ruled restrictive covenants to be unconstitutional. Transit policies also institutionalized inequalities. In the early 1960s, highway construction dislocated an average of 32,400 families each year—most of whom low-income and of color.

With such suburban housing policies, freeways facilitated urban disinvestment and the flight of middle and high-income white residents from the city. With these demographic transitions, central city tax bases fell, and social service burdens increased, as low-income populations became increasingly segregated in the city. Economic restructuring, de-industrialization, and unprecedented corporate mobility shed many accessible well-paying manufacturing job opportunities. A dramatic race to the bottom ensued. Stark urban competition for capital between fragmented localities forced continual concessions to businesses and intensified central city decline. All of these transitions further reinforced a cycle of segregation, poverty, and spatial inequality.

With institutionalized exclusion in a time of such unprecedented growth, it should then come as no surprise that lower-income working-class communities are highly concentrated in certain geographic spaces across a region and, further, that they are often of color. For example, Los Angeles in 1990 had a nearly a 38% Latino, 10% African American, and a 41% white population. However, Pastor et al. (2000; 2009) find that the poor were overrepresented by Latinos (57% of the poor) and Blacks (15% of the poor), while whites were underrepresented (18% of the poor). Segregation is also stark. In 2000, 73% of Blacks in Los Angeles would have to move in order to achieve full integration with whites (Xie & Goyette, 2005).

Unfortunately, the concentration of poverty did not end with suburbanization. Working-class communities are continually displaced and increasingly segregated by policies that focus on either people-based development (such as education) or place-based approaches (such as urban redevelopment). Without far-sighted policies in place, many educated people of color simply out-migrate from the city, reinforcing economic segregation, and urban redevelopment may displace existing residents in the name of slum clearance, attracting wealthier residents.

Regional Equity: Urban Policy for Innovation, Sustainability, and Equity

Recognizing these regional dynamics, policymakers must reconceptualize their approach to the cities. Regional equity is a framework that ensures all families benefit from economic

activity in the region—through new metropolitan strategies in housing, economic and workforce development, and education, to tie equity, economy, and sustainability together. At its heart, it is a framework that understands that the dynamics of poverty and inequality are not simply sustained in local neighborhoods. Rather, poverty and inequality are prevalent across many neighborhoods in a region due to larger structural forces at play, such as segregated housing patterns and suburban sprawl.

Equity and economic development are inter-linked. In a national survey of 74 metropolitan areas, Pastor et al. (2000) found that the best-performing cities—such as Charlotte, North Carolina—addressed equity and economic growth together. The cities championed regional (as opposed to city-wide) strategies by promoting regional “fair share” housing, creating regional jurisdictions to share economic resources, and funding education equally across a region. The destinies of the cities and suburbs—all places in a region—are linked. Accordingly, the actual design of our regions must be rethought. Instead of designing for suburban sprawl, we must design for smart growth to conserve the environment, promote community, and ensure fair investment across regions.

On the business front, instead of continually supporting large franchises, we can also diversify by investing in environmentally and socioeconomically responsible community-owned businesses that support local industries and bring money back into communities. We can think outside of the box by incentivizing cooperatives and resident ownership mechanisms. We must intensify innovation and research in growing, knowledge-intense fields and link them to the creation of jobs that renew the environment and that serve as a waypoint to opportunity for aspiring and existing middle class citizens. We must reinvigorate our promise to invest in quality, critical, and interdisciplinary education as a driver for creative ideas linked to jobs and societal progress and ensure a fair chance to access these opportunities across neighborhoods and regions. We must reinvest regionally in our housing, our transportation, our sustainable industries and jobs, and our food systems. We can interlink these systems with innovation, technology, ideas, research, and people—and create thousands of rewarding jobs along the way.

Our institutions must support these efforts. We must employ continuous regional development diagnostics, based on the local environment, to discover and reform the binding constraints on development, innovation, and investment (Hausmann *et al.*, 2005). Regional collaborations of businesses, banks, and industries, colleges and universities, community organizations, nonprofits, religious bodies, public agencies, and city jurisdictions can revitalize regional planning, policies, and revenue sharing toward a more sustainable and prosperous future. As noted by Pastor et al. (2009), we need a new vision for our regional economies that combine

strategic growth to promote industries that provide family sustaining wages; (b) the development of jobs that are accessible to large sectors of the population, not just the highly educated; (c) improvement of economic mobility and the creation of cross-employer career ladders in regional labor markets; and (d) the raising of the base level of wages in low-wage jobs.

Pastor et al. (2009) discuss an economy that, at its heart, is more human, fair, and cooperative and that inherently lifts up the working and middle classes. It is an economy that adheres to a balance between economy, environment, and equity. This economy must drive our 21st Century American Dream.

Of course, this alone is not enough. We must also re-envision the moral purpose of our Dream (Lakoff, 2009). Many of us are privileged enough to be afforded opportunities through our communities and our institutions. With hard work, many of us seek and achieve the Dream. But if we pursue a materialistic and individualistic version of the Dream—only to leave behind and harm our fellow Dreamers and Seekers—are we being fair, responsible, compassionate, and human? The 21st Century American Dream must also be a Dream of Communities—not only those of the United States, but also communities of the world. Although it may be easy to forget, we share a destiny as Dreamers and Seekers. We must humbly remember that through our opportunities, we have received much from our communities and institutions. We have received much from the common good. It is our responsibility to give our fair share to communities across the region to ensure future opportunities and common prosperity. The very act of dreaming and seeking, then, must inherently bolster the Dreams and opportunities of our neighbors. Our dreams must invigorate the common good.

In an American Dream of Communities, our individual actions and our communities are intertwined. When we seek a Dream of Communities, we are upholding America’s promise of opportunity. When we seek a Dream of Communities and shore up opportunity, we are upholding America’s promise of freedom: freedom from want, freedom from fear, freedom from harm, freedom to innovate, freedom to voice our beliefs in democracy, and freedom to pursue our personal Dreams. When we seek a Dream of Communities, we are revitalizing a Dream that, at its soul, cares for and encourages the lives and dreams of our neighbors. This is the legacy of the United States. This is the 21st Century American Dream.

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HOMELESSNESS: THE EPIDEMIC IN PHILADELPHIA

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When crossing the Benjamin Franklin Bridge into Philadelphia, the tourists' first glimpse of the city will not include for what Philadelphia is famous. Instead, they will see homeless men and women panhandling for money at the foot of the bridge. Homeless individuals can be found throughout the city, sleeping on grates, doorsteps, and benches. Homelessness is an epidemic in Philadelphia. Although it is difficult to calculate, there are approximately 4,000 people that are homeless on any given day in Philadelphia (Project H.O.M.E., 2010). These men and woman have daily battles of survival and are deprived of basic necessities. Many have no food, clothing, access to medical care, or income. This is a societal problem that needs to be addressed.

To alleviate homelessness, we must first know the causes. There are many, but three of the major causes are mental illness, lack of affordable housing, and lack of jobs (Cochran *et al.*, 2009). Mental illness is especially debilitating to the homeless due to the difficulty they face in receiving the care and medical attention that their issues require. Many of these individuals do not have the luxury of the assistance of others' watchful eye to make sure their health issues are being addressed. Their relationship with others tends to be stagnant or completely non-existent, and they can only rely on themselves. As noted by the National Coalition for the Homeless (2009):

Serious mental illnesses disrupt people's ability to carry out essential aspects of daily life, such as self care and household management. Mental illnesses may also prevent people from forming and maintaining stable relationships or cause people to misinterpret others' guidance and react irrationally.

The problems of the homeless individuals with mental illness worsen when they are not treated continually. As noted by Pathways to Housing (2009), a not-for-profit organization that aims to address homelessness among the mentally ill, "chronically homeless people with psychiatric disabilities often have a history of fragmented healthcare, and research has shown that many drugs prescribed for this population contribute to high rates of obesity, diabetes, and hypertension. As these people age, they become increasingly vulnerable to chronic medical conditions, and their need for careful, continuous healthcare becomes even more critical."

So what are the solutions? Overnight cafés are a great resource for those who are both homeless and mentally ill. Cafés fit the standard for those who cannot handle being in shelters and are looking for day-to-day solutions, such as the mentally ill. The overnight cafés usually open later in the day, usually around seven to nine. They often offer two meals a day and provide floor space or cots for individuals to sleep on. The mentally ill can have fewer obligations than

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would be expected of them in a shelter; the relaxed guidelines help them feel more comfortable. For instance, they have the freedom to take or not take their medications, whereas in a shelter they could be expelled if they disobey medical orders. Additionally, cafés accommodate smaller numbers of people, which are ideal situations for mentally ill homeless individuals, since they often cannot handle the large, diverse crowds at shelters and can pose a risk to themselves or others. Instead of having hundreds of beds like at a shelter, cafés usually have less than a hundred places for men and women to sleep.

One café in West Philadelphia, where a social worker spoke to me on condition of anonymity, provides mats for the homeless to sleep on and dinner and breakfast for its guests. The café allows its guests the freedom to take or not take their medications. It provides 60 guests with these accommodations. The West Philadelphia café also provides social workers to talk to the homeless who are willing to talk about themselves and will refer them to hospitals or other helpful resources. The social workers will keep up to date on their repeat guests. With continued help of a social worker, the individuals can receive support and counseling for their current struggles. The café also has visiting psychiatrists and nurses. Psychiatrists diagnose the homeless individual's problem and recommend courses of action. Medications are not given out at cafés. Instead, the nurses will come in and write referrals to the homeless individuals who need medications. The homeless individuals have to either be transported by an outreach team or they would just find their own way to a recommended hospital. Almost 100 percent of this café is funded by the city of Philadelphia. Michael Nutter, the city's mayor, has sought to fund the cafés. He views cafés as a temporary solution to helping the homeless who are too intimidated to stay at shelters ("City of Philadelphia Announces," 2009).

More cafés should be opened in Philadelphia in order to accommodate the homeless individuals who are mentally ill and do not receive the treatment they need at shelters. Cafés should have more nurses and psychiatrist on staff on a daily basis. Homeless individuals who do not have medical care should be able walk into a café and receive significant care, instead of having to go to the emergency room to receive care. A law should be implemented in Philadelphia requiring hospital employees to put a certain amount of hours towards cafés. The cafés would have a rotating staff from different hospitals every other week to complete their necessary hours of work. The hospitals would be able to pay these individuals and write off their expenses as a tax break. Philadelphia should implement and recognize the services as charitable contributions. Such a law would allow many nurses and psychiatrists to help out the homeless on an individual level and provide the necessary care that each individual needs.

At the state level, Pennsylvania could offer tax breaks to those who donate to the cafés. Michigan offers special tax breaks to businesses that contribute to shelters and food banks. The state is taking the necessary steps to combat homelessness by giving companies more incentives to help. A relevant provision of a Michigan law states that "A partial credit is allowed when making a cash donation to a qualifying shelter for homeless persons, food kitchen, food bank, or other entity whose primary purpose is to provide overnight accommodations, food, or meals to indigent persons" (Mich. Gen. Laws, 2007). Pennsylvania could replicate this law, but expand it to include cafés and pharmaceutical drug donations as well.

Cafés are not currently licensed to distribute drugs. They would therefore have to procure the necessary licensing to prescribe and give out medicine. If they obtain the proper licenses, they would of course be legally liable for the dosage amount and what happens to the individuals for whom the drugs are prescribed. Accordingly, the cafés must obtain malpractice insurance. If the proposed law noted above is adopted, sufficient professional nurses would be present at the

cafés. Taking these steps would allow for optimum care for the mentally ill to treat and stabilize their conditions.

If more overnight homeless cafés could be opened in the city, and the city were able to staff these cafés, more homeless individuals with mental illnesses could be treated. The individuals could eventually take the necessary steps to improve their living situation and work toward finding housing. There would be a number of obstacles to overcome at a significant cost, but the long-term benefits in reducing homelessness would ultimately offer a greater benefit to the city.

Lack of affordable housing is another issue that causes homelessness in Philadelphia. The individuals' inability to afford housing is attributed to both low incomes and the cost of living. According to the Center for Housing Policy (2010), "the federal government considers housing to be affordable if a family spends no more than 30 percent of its income on its housing costs, including utilities." Many individuals can afford the actual housing, but cannot afford living expenses such as their food, transportation, and health expenses. Unfortunately, Philadelphia faces a special challenge in this area as the city's cost of living is one-fourth higher than the nation's cost of living average (PayScale, 2010). This demonstrates the urgency of the need for more affordable housing in the city.

The Philadelphia Housing Trust Fund helps alleviate the burden of unaffordable housing. It provides monetary means for projects that deal with homeownership developments and rental developments. The organization contributes to many different organizations to fund various developments in the Philadelphia area. In June 2008, it helped seven organizations with funding affordable housing projects, three homeownership developments, and six rental developments (Office of Housing and Community Development ["OHCD"], 2009). The organization helped create approximately 275 new homes per year. Most of the organization's funding comes from a surcharge on document recording fees in Philadelphia; the surcharges are expected to continue to raise ten million dollars per year (OHCD, 2009).

Another source of funding for the Philadelphia Housing Trust Fund could be through the charitable donations of Philadelphia casinos. In Atlantic City, the Borgata Hotel Casino allocates various charitable contributions. The Heart and Soul Foundation, for instance, solicits donations on the Borgata's website. The Foundation donates to different organizations in Atlantic City (Borgata Hotel, 2010). The new casinos being built in Philadelphia could likewise donate to charities that specialize in affordable housing in the city. The SugarHouse Casino in Philadelphia has already promised that it will dedicate 2.5% of its pretax income to the SugarHouse Foundation, up to \$3 million a year, once it opens. The funds are to be used to "improve the quality of life in [the] surrounding community" (HSP Gaming, 2010). If the SugarHouse Foundation gave charitable contributions to affordable housing efforts, it certainly would be improving the communities of Philadelphia. Currently, the Foundation has stated that it intends to award grants to "programs that focus on childcare, education and senior needs" (HSP Gaming, 2010). The Foundation's main initiatives are not presently aimed towards helping homeless individuals. The casinos must agree to fund philanthropic efforts that support affordable housing.

Lack of jobs is another problem that plagues the homeless. Finding a job can be especially hard for a homeless person. They do not have homes where they can sleep and prepare for their next day. Many cannot even obtain a job because job applications generally require an address, and if there is no address, it could cause applicants to appear as if they are hiding something or are irresponsible. It might ultimately be looked at as a red flag for employers to see that the applicant does not have a home. Also, the homeless might not be as well groomed as

someone who has a home. They do not have the luxury of proper hygiene, grooming, and clean attire. It is possible that they will be not chosen over the other candidates simply because of their lack of grooming. If they had a job, they would be more likely to obtain a residence, proper grooming, and appropriate attire for their jobs.

One way for homeless individuals to earn an income could be to act as vendors servicing Philadelphia's tourist industry. Philadelphia is a unique city that has a deep-rooted history. This history provides the city with many tourism-related jobs. Over two million people visit the city's historical sites every year (Office of Policy Development, 2007). If the homeless could be employed in the city's tourism industry, both businesses and the homeless could benefit. Businesses could design products specific to Philadelphia, such as unique tee shirts, which the homeless could sell at various tourist locations. These shirts would only be available at specific spots. The shirts could have an identifiable emblem that would give the shirts continuity and authenticity. The shirts could become a collector's item that only the homeless would sell. The salaries would be based on commission in addition to receiving the minimum wage. They would vend their shirts from carts, which they would bring back to a central location every day and have them accounted for. They could use this job as a stepping-stone towards a new career. Businesses would profit from this idea. Many tourists might choose to purchase a tee shirt that is a historical memento and also benefits the homeless. It will have goodwill attached to the shirts, giving them an advantage over competitors.

Some resistance to this idea would be finding a company that would invest as well as train certain homeless who may lack basic skills. A company would need to take on this idea and create its own designs. The homeless would have to be screened and background checks would have to be conducted to see if they would be fit to be a vendor. Psychological tests and a criminal background check would filter those who can sell the tee shirts. There would be supervisors to collect the money and watch over the vendors. Those who do well with selling and keeping the money accounted for will have new chances to move up to a different job such as becoming a supervisor. The business should spend some time with the homeless, helping them develop healthy habits in accountability and frugality. If this idea is enacted, it would allow the homeless to contribute to the community and start a new chapter to a better life. In return, Philadelphia could also offer tax breaks for hiring homeless individuals. The federal government has offered a similar tax break. According to the Urban Institute & Brookings Institution (2010), "The Work Opportunity Tax Credit offers subsidies to businesses that hire certain disadvantaged workers. The provision would expand the target groups of the credit to include a broader category of youth ('disconnected youth') and unemployed veterans. The maximum credit available is \$2,400." Philadelphia could give a certain amount, such as \$2,400 per homeless person, in tax breaks and include an annual cap. If the city offered a monetary incentive such as this, more homeless people would be hired for jobs.

Homelessness can be reduced in Philadelphia. A few measures could make a big difference in addressing a societal problem that plagues the city. One day tourists might be able to bask in the scenery and historical significance of the city instead of being distracted by the sight of homeless individuals holding up signs and begging for money.

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THE FUTURE OF NGO ACCOUNTABILITY: PROBLEMS AND SOLUTIONS

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Non-governmental organizations (NGOs) have recently established themselves as key players in the international development industry and the global movement to end poverty. From 1950 to 1995, the number of NGOs holding consultative status with the Economic and Social Council of the United Nations rose from 200 to 1,500, and now stands at 2,800 (Potter *et al.*, 2008). During the 1990s, “the amount of aid flowing through NGOs in Africa, rather than governments, more than tripled” (Cohen *et al.*, 2009). In addition, Doctors Without Borders’ budget has doubled since 2001; Save the Children’s budget has tripled since 1998; and Mercy Corps’ expenditures have risen nearly 700 percent in a decade (Cohen *et al.*, 2009). Although NGOs have proven their effectiveness in providing direct and immediate help to the world’s most destitute, questions of accountability arise as they grow to confront the challenges of long-term development.

States are accountable to citizens, and corporations are accountable to stockholders, but as self-appointed representatives of civil society, the NGO community lacks any formal mechanisms to impose sanctions on organizations that fail to effectively help their targets (Wenar, 2006). As Anderson (2001) argues, “It is no exaggeration to regard the international NGOs...as not merely undemocratic, but as profoundly antidemocratic.” As the power associated with development shifts increasingly into the hands of NGOs, mechanisms must be identified and supported in order to prevent NGOs from hurting those they seek to help.

This paper seeks to locate the current and potential NGO accountability mechanisms within the ongoing discourse. I begin by defining the concept of accountability in relation to authority, and describing how it manifests itself in current NGO activity. I then discuss the most relevant and operational forms of accountability for NGOs as they fit into the broader paradigms of upward/downward and internal/external accountability. In addition, I examine the shortcomings of current accountability mechanisms and present a few potential solutions. I end with the argument that productive NGO accountability will be achieved only through developing crosscutting institutional checks that tie the feedback of the destitute with the sanctioning power of the state and global governing bodies.

Accountability is an agent’s responsibility to complete an action and to show that it did so (Wenar, 2006). Accountability is directional: the agent must show his/her fulfillment of a responsibility *to* someone. This relationship implies that “some actors have [1] the right to hold other actors to a set of standards, [2] to judge whether they have fulfilled their responsibilities in light of these standards, and to [3] impose sanctions if they determine that these responsibilities

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have not been met” (Grant & Keohane, 2005). Accountability requires that other agents be the authorities on the standard-setting, performance-measuring, and sanctioning of the accountable agent (Wenar, 2006).

In the case of NGOs, the people who best understand the standards and measurements of a development project’s success—the poor—are those who lack the authority to impose sanctions, allowing NGOs to take action without the input of those the project seeks to aid. This has been especially difficult with regards to advocacy groups that are not directly involved in the development projects they are affecting. Mallaby (2004) notes an illuminating story about the Tibetan Information Network, an NGO based in London, that formed an international coalition to halt a World Bank project in Qinghai, China that was “designed to move 58,000 farmers from a hopelessly parched hillside to another part of the province irrigated by a small dam.” The project would have been another of the 30 previously successful relocation projects, all of which had reduced poverty in the region. However, the Tibetan Information Network, drawing on human rights and environmental rhetoric, garnered enough opposition that the World Bank pulled out of Qinghai. China continued the relocation project by itself, without the social and environmental safeguards ensured by the Bank’s involvement. Activists purported “to hold the World Bank accountable, yet the bank is answerable to the governments who are its shareholders. It is the activists’ accountability that is murky” (Mallaby, 2004). The consequences of NGOs operating without direct accountability to the people they seek to help leads to problems such as this: western civilians making critical life choices for people they have never seen or met or talked to.

While NGOs may not be accountable to those they seek to help, they are still bound by four accountability mechanisms (Grant & Keohane, 2005). The first is fiscal. Most NGOs “depend on a small number of donors who monitor their behavior. . . . [T]hese donors may be seen as delegating authority to them through their dollars and as capable of holding them to account by withdrawing their support” (Grant & Keohane, 2005). However, as NGOs expand their donor bases to include more small donations with less oversight, this method begins to fail. This problem has just recently emerged in Haiti, where hundreds of disaster relief associations are operating with a lot of money and little to no transparency. A report from the Disaster Accountability Project found that “of the 197 organizations identified as soliciting money for their activities in Haiti following the earthquake only six have provided factual situation reports itemizing their activities. 128 organizations had no reports on their websites, but instead offered emotional appeals and ‘anecdotal’ descriptions of activities” (Nienaber, 2010).

The second mechanism is the market. Many “[n]orthern bilateral donors are increasingly channeling their diminished ODA [overseas development assistance] directly to Southern NGOs, bypassing Northern NGOs in many instances” (Malhotra, 2000). The growing competition for grants and donations within the development and philanthropy markets forces organizations to prove accountability to gain a competitive edge.

The third mechanism is participation. Large international advocacy groups like Amnesty International wield power through petitions and are accountable for the truth and effectiveness of their campaigns to those who support them by providing their signatures. As membership organizations, they also use franchise, reform and dues as accountability mechanisms (Jordan, 2005).

The final mechanism is reputation. As NGOs become increasingly legitimate consultants for multilateral institutions like the United Nations, they are forced to be increasingly accountable for their recommendations. These mechanisms are influential because the authorities

all have the power to 1) set criteria, 2) judge fulfillment of the criteria, and 3) impose sanctions in the case of failure.

While these mechanisms of accountability are important, they are all exclusively external and upward forms of accountability and entail NGOs looking outwards and away from those that are actually affected. They look towards mostly Western authorities: donors, multinational institutions, and home-state governments. In this sense, NGOs still operate within the neo-colonial paradigm. However, to fully uphold their mission statements, they must also practice downward and inward accountability. This requires NGOs investing resources to allow those they intend to help to not only set standards and provide feedback on the fulfillment of standards, but also to impose sanctions if the NGOs fail. Here lies a major problem. As Wenar (2006) has noted, it is “one thing to listen to the poor when designing a project, and another to give the poor the power to penalize what they judge to be bad performance.” Very few aid NGOs would be willing to subject themselves to that kind of accountability, especially with no incentive other than good will. Simultaneously, the poor do not have the power to assume authority and impose sanctions, unless the NGOs give them such power.

The most effective method of addressing this problem involves connecting the standards and judgments of the stakeholders with those who carry the authority to enforce sanctions. Governments and the international financial institutions “have under-utilized capacities to sanction poor NGO performance by withholding future funding, and governments in particular have the ability to set legal requirements on NGOs for greater transparency and efficiency” (Wenar, 2006). One way to close the feedback loop between those who understand the problems and those who have the power to enforce change would be to establish an association of development evaluators that would “provide a counterweight to the institutional incentive for positive bias, while also improving the techniques of project evaluation” (Wenar, 2006). The association would identify criteria for project evaluation and membership. Any member “conducting an evaluation under the association’s stamp would be bound to follow the approach laid out in the guidebook or risk losing membership,” providing a rule of law for “the evaluator’s independence from project management” (Wenar, 2006).

Simultaneously, formalizing NGO involvement in global development decision-making would increase the necessity for accountability. NGOs currently operate as informal consultants. Formalizing NGO participation in international decision-making “would have the effect of outing NGO power and advancing a transparency objective. It would also hold NGOs, as repeat players, accountable to institutional bargains” (Spiro, 2002). Acknowledging the power and expertise that NGOs already hold would only push them to better evaluate and justify their arguments.

In short, NGO accountability currently operates through mechanisms that point towards the authority of the West. The challenge lies in building pathways for information transfer between those who live with and understand local development needs and those who have the institutional power to enforce action. We cannot let our focus on altruism prevent us from looking critically at the power structure behind it. If our true goal is to help solve the continually evolving problems of poverty and development, we must continue to evolve ourselves.

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THE CHANGING FACES OF THE RIGHT TO MARRY

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A major sector of society is being denied its fundamental right to marriage, and the Supreme Court has refused to enter the conversation. In this paper, I will argue that the Court is refusing to rule on the right to marry concerning homosexuals perhaps due to exigencies such as public opinion, caseload, and political conflict. Unfortunately, however, remaining silent is depriving homosexuals of rights afforded to them by the Constitution. The Court needs to make a ruling. Although the Court has already held that the right to marry is a fundamental one, the right is still being denied to homosexuals.

Scholars have highlighted the different aspects of this issue. Barnum (1985) argues that beginning with the Warren Court, the Court's decisions have often reflected public opinion, especially in cases involving minority rights. Meyer (2008) adds that the "Warren Court ushered in a dramatically different understanding of the relationship between family law and the Constitution." Meyer also notes that "critics from a range of perspectives harbor deep concerns about the legitimacy and utility of broadly importing constitutional rights analysis into family law." Greene (2008) also agrees that the Warren Court produced many decisions that brought individual rights—such as the right to marry—to the Court's forefront. And although Greene generally agrees that public opinion affects the Court's decisions, he asserts that looking solely at public opinion does not provide the entire picture. The Justices also make decisions by trying to shape society into what they believe the Constitution wants the country to be (Greene, 2008). Toobin (2009) maintains that "the courts can only push so far out against what the people believe. They can lead, but they have to get some degree of take-up from the legislature, or nothing is going to change."

An example of the Justices making a decision outside the Constitution is the right to marry. As Meyer (2008) states

the most basic objection to the proliferation of constitutional principles reshaping family law is that many of them simply have no basis in the Constitution... the warrant for special judicial protection of marriage was ultimately neither the Constitution's text nor the Justices' own reverence for marriage... the test was whether the claimed liberty was so deeply rooted in the "traditions and (collective) conscience of our people" as to be ranked as fundamental.

This shows that the right to marry had its origins in public opinion. Because the right to marry was derived from the outside of the Constitution's text, the Justices have to continually adjust their rulings based on their understanding of what it means. As such, "the Court is continually changing the boundaries on family law and that has affected and will continue to affect the dynamics of the family" (Meyer, 2008). Therefore, because family law is constantly

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changing, it is perhaps more susceptible to being influenced by public opinion than other areas of the law.

The fact that the Justices consider public opinion seems contradictory to the image of the Court as an institution that rules solely based on the Constitution. Some scholars argue that while there is evidence that the Court makes decisions alongside public opinion, the connection is not a certainty. Even Barnum (1985) qualifies that it is not possible to know for certain if the changes in public opinion predate rather than postdate the Court's decision. Another argument in defense of the Court's interest in public opinion is that it shows the Court's dedication to interpreting the law the best way it can. Nonetheless, these assertions do not change the fact that there is a correlation between Court decisions and public opinion.

Unfortunately, the Court is more cautious or remains silent when dealing with issues of which the public is not in favor (Barnum, 1985). And with public opinion on the right to marry being such a divisive issue, it is understandable that the Court would be cautious about taking on the matter. However, public opinion might not be the reason, or the only reason, why the Court has not ruled. It could be that the number and diversity of cases brought to the Court limits the sort of issues the Court can address. The Court receives over 9,000 petitions each year. The Justices can only select a few, generally less than one percent. But the heavy caseload should not be a reason for the Court to remain silent on a matter that is depriving citizens of a right guaranteed to them by the Constitution. In *Bush v. Gore*, the Court sped up the judicial process to answer a question the Justices felt was crucial. In the case of the right to marry, the Court does not even have to speed up the process; it just needs to take on one case that addresses the issue.

Another reason the Court might decide to be silent on the issue is the political ideology of the Justices. Toobin (2009) asserts that liberals are usually more in favor of protecting newly found rights than conservatives. He argues that "over the years, legal liberals in many respects have defined themselves by coming up with new rights for the Supreme Court to recognize." One such right is the right to marry. Meyer (2008) notes how the Warren Court, which was considered a liberal one, made marriage a constitutional right. The most recent courts, however, have been conservative ones and have kept silent on the right to marry issue.

Apart from ideology, the Court might stay silent in order to avoid conflicts with other branches of the government. Toobin (2009) asserts that President Barack Obama does not believe in "court-ordered change" and hopes that minorities can use their political power to solve problems instead of relying on the courts to interfere. Accordingly, if the executive branch would prefer the Court's silence on issues such as homosexual rights, the Court may be cautious in ruling on the matter. Greene (2008), too, maintains that the Court is likely to avoid conflict with the political branches by using "manipulable prudential mechanisms like ripeness, standing, or the political question doctrine." The Court will do what it can to stay in favor of the other branches. Greene argues that "judicial supremacy has been threatened not by popular presidents but by unpopular judicial decisions."

Public opinion, caseload and conflict avoidance are not good enough reasons for the Court to remain silent on an issue that is restricting constitutional rights. The Court's silence matters. The Equal Protection Clause of the 14th Amendment to the U.S. Constitution protects citizens' right from infringement by the government. As Karst (1977) notes, the principle of equal protection comes with the principle of equal citizenship, and

the principle of equal citizenship presumptively insists that the organized society treat each individual as a person, one who is worthy of respect, one who "belongs." The

principle presumptively forbids the organized society to treat an individual either as a member of an inferior or dependent caste or as a nonparticipant... . A society devoted to the idea of equal citizenship, then, will repudiate those inequalities that impose the stigma of caste and thus “believe the principle that people are of equal ultimate worth.”

Equal protection carries the ideal that everyone is entitled to rights that the government cannot violate. Homosexuality is part of a person’s identity and one that must not be the basis for denying a person’s guaranteed rights. Giving certain rights, such as marriage, only to heterosexual couples creates an inferior caste and contravenes the basic principles of equal protection.

One of the arguments against homosexual marriages is that marriage is an institution made solely for procreation. But procreation is not the only reason behind marriage. Furthermore, as Bradley (1994) has suggested, if legal marital protection is only given because of procreation, the government would stop heterosexual couples who are sterile from marrying. There is also the functional view of marriage which “suggests that any stable and significant relationship between two consenting adults should be accorded constitutional protection.” Marriage, the functional view would assert, is “constitutionally protected because it promotes familial and societal stability” (“Developments,” 1989). Unfortunately, homosexual relationships are not seen as promoting the ideals that heterosexual relationships do.

Another argument against homosexual marriage is that it can negatively impact the upbringing of a child. But there are issues in heterosexual marriages that negatively impact raising children as well. The issues have not caused the Supreme Court to prevent heterosexual marriages (Meyer, 2008). Sadly, the Court has chosen to treat “right to marry cases” that involve homosexuals differently from the way it treats other privacy cases. Bradley (1994) insists that the Court is discriminating against homosexuals. He alleges that as in *Loving v. Virginia*, where the Court found a Virginia statute that prohibited interracial heterosexual marriages as unconstitutional, laws against homosexual marriages must likewise be held as discriminatory. The Court has refused to acknowledge the relationship between the two situations, however.

Unlike Bradley, Meyer (2008) argues that the Court’s treatment does not stem from discrimination, but rather because “family law in this era remain[s] overwhelmingly outside the purview of the Constitution and the federal courts.” The Court is still trying to navigate family law, which might explain why it is being so cautious on the issue. Other scholars state that the variation between the facts in *Loving* and right to marry cases involving homosexuals is why the Court is treating them differently. One such difference is that in *Loving* the statute in question was a criminal statute as opposed to civil laws that guide right to marry laws.

Many argue that states should decide the issue, and people can decide where they want to live based on the state’s ruling. But this would bring disunity in the country. When different courts have different rules on who is allowed to have a certain constitutional right, then it is time for the Supreme Court to step in. The Supreme Court’s voice is needed to eradicate disunity and bring a clear decision to the issue. To abide by the Equal Protection Clause, the Court must extend the right to marry to homosexuals. The Court needs to show that it cares more about the citizens than public opinion, caseload, and political conflict. The Court must recognize that homosexuals are being denied their constitutional rights and must speak out.

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SECTARIAN VIOLENCE: A BLACK CLOUD OVER THE IRAQI SKY

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Sectarian violence started a few months after the U.S. invasion of Iraq. The causes vary but are interconnected. At the start of the violence, blaming Saddam Hussein's regime was a popular argument used especially by U.S. officials. The proponents of the argument maintain that since Saddam's regime was Sunni-dominated and repressive, the Shias could not fight back; therefore, when they were liberated, it was payback time (Steele, 2008). Although there is some truth in this theory, it is a simplistic view of Saddam's regime. It is true that the Shias were persecuted and not permitted to practice some of their religious rites under Saddam, but there were times that he would collaborate with Shia clerics when it was in his interest, including when he needed recruits for his army (Steele, 2008). Furthermore, like the Shias, Sunnis who did not favor the regime were also repressed and persecuted. Saddam had, for instance, crushed a rebellion of Sunni tribes financed by the Saudis (Pelham, 2008).

The U.S. invasion and the subsequent occupation has been a cause of the sectarian violence. The bombing campaign succeeded in removing Saddam's regime, but it fueled anti-American feelings because Iraqi civilians were killed and their property was destroyed. In May of 2003, L. Paul Bremer, the head of Coalition Provisional Authority, issued a decree disbanding the Baath Party and barred its senior members from government and public service jobs. A week later, he decreed the dissolution of the Iraqi army. Since the majority of the Baath Party and the leadership of the Iraqi army were Sunnis, these decrees were seen as being against the Sunnis and rightfully triggered anti-occupation feelings. The Sunnis not only had anti-occupation feelings but also anti-Shia ones because the Shia were seen as collaborators with the invaders. The new Iraqi Government and the Iraqi Security Forces were dominated by the Shias. There were also death squads within the Iraqi Security Forces that targeted Sunnis almost exclusively. One of these death squads was the Wolf Brigade, which also ran a torture center where Iraqi and U.S. investigators found more than 600 men and boys in old stables once used by Saddam's son Uday. Under these conditions, the Sunnis boycotted the Iraqi Government (Steele, 2008). If there were moderate Sunni politicians who initially cooperated with the Iraqi Government, the pressure from fellow Sunnis stopped them from cooperating.

The longer it seemed that the United States and Coalition forces were going to stay and commit abuses such as the ones at Abu Ghraib, the greater the number of supporters for religious leaders and—more importantly—extremist groups became. The most violent of these groups was Al-Qaeda in Iraq, previously called Al-Qaeda in Mesopotamia. At the beginning of the occupation, Al-Qaeda in Iraq had a tremendous influence over the Sunni community. Since most of the members were Salafi Sunnis, with an anti-Shia ideology, they were able to use the anger and frustration of the Sunni community to recruit more people in their ranks and make the Sunnis side with Al-Qaeda on a call to boycott the 2005 elections (Pelham, 2008).

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The religious and political dimensions are not the only factors that contribute to the violence; the economy and security also matter. Iraqis join the militias on both sides—Sunni and Shia—because the groups can provide financial support and security for their families. In a situation of terror and uncertainty, people will do what they can to survive. This happens when the government is corrupt, unstable, violent, biased, and incompetent. This was, and still is, precisely the state of the Iraqi Government. Instead of being a force for stability, the Iraqi Government has been a force for division and instability.

The lack of an effective government is hurting the Iraqi society. This is particularly dangerous because the society is divided, is under occupation, and lives in terror. Fortunately, the violence has decreased, a consequence of the increase in troops and the counterinsurgency strategy of General David Petraeus. While the new strategy has been part of the success, the anti-Al-Qaeda feelings among the Sunnis and their desire to fight them is the most important factor that has led to the decrease in violence (Steele, 2008). As stated by Abd al-Rahman al-Zubeidi, the spokesman of Ansar al-Sunna, an Iraqi resistance group that combines nationalism with Salafi ideology, “our people have come to hate Al-Qaeda, which gives the impression to the outside world that the resistance in Iraq are the terrorists. We are against indiscriminate killing. Fighting should be concentrated only on the enemy” (Steele, 2008).

What can be done to prevent the resurgence of sectarianism? The key issue is security, since other important political factors such as the state of the economy and the sectarian control of the Iraqi Security Forces revolve around it. Meanwhile, the end of combat operations by the United States is a positive trend since the U.S. occupation has been one of the causes of sectarian violence. The drawdown will not create miracles, however. As of September 2010, there is a political deadlock in the country as a result of the March elections. Iraqis must settle the current situation. If they cannot, they must form a government of national reconciliation. This temporary government would review the Iraqi Constitution, make necessary amnesties for both Sunni and Shia crimes during the U.S. invasion, and devise the necessary changes to the electoral process so that future elections are not followed by a political deadlock with no end in sight. The reconciliation government must represent the country’s different ethnicities, religions, and sects. Fair representation would increase the people’s support for the government and would deny extremist groups the opportunity to recruit Iraqis for their cause. The Iraqi Security Forces must also become more representative of the Iraqi society to preclude the government from using the forces as a weapon to repress opponents of the government. The militias that are the military factions of political parties and movements such as the Mahdi Army and Badr Brigade must be disbanded and integrated into the Iraqi Security Forces.

Throughout Iraq’s history, Sunnis and Shias have collaborated with each other. They have intermarried and have also mourned together (Steele, 2008). As such, they can achieve peace if there is no foreign interference into their domestic affairs and if they put pressure on their politicians to settle their differences and form a fair and representative government.

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AFGHANISTAN: STRUGGLE, ENDURANCE, AND RENEWAL

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Although cultures and lifestyles around the world are extremely diverse, history has shown that for a society to advance certain liberties must be present. For much of the 20th Century, Afghanistan saw violence, inequality, and transition. Since 1970 Afghanistan has had several different governments, some corrupt, others enforcing strict extremist ideologies. None has successfully provided tolerance or safety to the Afghan people. As a result, modern Afghan society has suffered. According to *The World Factbook* (2010), literacy rates are below 30%, life expectancy is stagnant around 44 years, and millions have fled the country. It is clear that as long as a society is riddled with violence, intolerance, and corruption, it cannot progress. Whether or not Afghanistan will be able to return to a time of relative peace and prosperity is largely dependent on the new Afghan government remaining free from corruption and putting the needs of its people first.

Afghanistan has had a long history of fraudulent governments, led by individuals who often sought to fulfill their own agenda rather than focusing on the development of Afghanistan as a country. But Afghanistan has been plagued by far more than internal dishonesty. Saikal (2004) has described how the poor economic and environmental conditions in the mid-twentieth century forced Afghan leaders to seek economic support in the midst of Cold War tensions. While at first this appeared rewarding, it quickly became clear that dependence on external forces was devastating to the country. The Cold War directly contributed to the chaotic environment that has shaped so much of Afghanistan's recent history. Today the Cold War threat is gone, but Afghanistan is by no means at peace.

After the Soviet Union collapsed in 1992, Afghanistan lay victim to the chaotic rule of self-serving warlords. As noted by Rasanayagam (2003), in 1994 the Taliban emerged from Pakistan vowing to put "an end to the petty ex-mujahideen warlords who were preying on the local population..." The Taliban rapidly gained support, and, by 1997, controlled the majority of the country. The Taliban were characterized as brutal and relentless. Under their governance, education levels fell, women lost all conceivable rights, and poverty became rampant.

While the turmoil of the 1990s was devastating to the country, relief came in 2001 when the United States invaded in the aftermath of 9/11. That same year, the Taliban were removed from power and an interim government was set in place. Hamid Karzai, a highly recommended relative of the former King Zahir Shah, was chosen as the temporary chairman of the new government (Hicks, 2010). In 2004, Afghanistan held its first elections, and a large majority of voters nominated Hamid Karzai as the first President of the Islamic Republic of Afghanistan.

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ACCOMPLISHMENTS

The new Afghan government has had some accomplishments. In 2001, in an effort to advance education, minimize poverty, and expand healthcare, the government established Afghanistan's National Development Strategy or ANDS. The Islamic Republic of Afghanistan (2008) has outlined what ANDS has accomplished since the devastating times of the Taliban, what still needs to be achieved, and how the country plans to tackle these concerns. In the areas of education, poverty, and healthcare, ANDS has shown progress. This should all be examined within the decades of unrest that caused a humanitarian crisis in Afghanistan. In the 1990s, nearly all remnants of earlier education systems were destroyed, poverty was rampant, and healthcare was virtually non-existent. The absence of these programs made life in Afghanistan an everyday struggle. Since the formation of the new Afghan government, policies have changed in hopes of combating these dire issues.

Education

Historically, literacy rates have been low in Afghanistan. Before the Soviet invasion in 1978, literacy rates were at 18% for males and 5% for females, while 54% of males and 12% of females completed primary schooling (USAID, 2006). Under the Taliban, the educational system collapsed even more. The Taliban destroyed thousands of schools and deemphasized education. Since the defeat of the Taliban in 2001, Afghanistan has made progress and shown initiative in rebuilding its education system. The country's Ministry of Education (2007) has ambitious goals and has stated that "by 2020 all children in Afghanistan, boys and girls alike, will be able to complete a full course of primary education." The Ministry hopes to achieve the goal by increasing the number of qualified teachers and building schools in both urban and rural areas.

One serious issue facing the Afghan education system is the limited education and training received by the majority of teachers. Under the ANDS, improvements in teacher training have been implemented. A few of these improvements include "establishing a National Teacher Education Institute, providing in-service teacher training to the existing 140,000 teachers, delivering pre-service teacher training to 17,000 new student-teachers using the new curriculum, and writing and printing 150,000 textbooks and teacher guides" (Ministry of Education, 2007). If such goals are met, the quality of the Afghan education system will surely improve.

A second development within the education system is the goal of making education accessible for all Afghans. This goal requires the extensive reconstruction and building of schools, especially in rural areas where literacy rates have been historically low. A few of the principal targets for building and reconstruction include:

construction of 398 rural and urban District Education Resource Centers that will serve as Teacher Resource Centers, Community Learning Centers and Education District Offices, construction and rehabilitation of 432 Islamic schools, including 34 centers of excellence at district and provincial levels, construction and rehabilitation of 73,000 classrooms—70% in rural and 30% in urban areas (Ministry of Education, 2007).

According to the Ministry of Education (2007), net enrollment in primary school for both boys and girls is hoped to be at 60% to 75% by the end of 2010. Data from 2006 suggests Afghanistan's efforts toward improving its education system have made progress, but much

remains to be done. According to the Ministry of Education (2007) more than 5.4 million children were enrolled in school in 2006, compared to under a million in 2001, but about half of school age children still do not attend school.

It is evident that the Afghan government is making a sincere effort to establish an education system. But the violence and terrorism that continue to be widespread are making the initiatives difficult to complete. Because of this dilemma, Afghanistan may not be able to meet its education goals for this year, but, with time, the solid plans established by the new government will be realized.

Poverty

The decades of war have had catastrophic impacts on the people and the country as a whole. In 2001, after the defeat of the Taliban, the Afghan economy was virtually non-existent. War had devastated much of the land devoted to agriculture, as well as most of the country's infrastructure. As a result, the majority of the people were in a state of desperation. With the establishment of the Islamic Republic of Afghanistan in 2001, strategies such as ANDS were developed to help combat these disasters for the first time in decades.

As described by the International Monetary Fund (2008), in 2006 President Karzai presented the idea of an ANDS to more than 60 countries and several international organizations at the London Conference held that February. The development strategy included three pillars: (1) security, (2) governance, rule of law and human Rights, and (3) economic and social development. All three pillars are aimed at improving the quality of life for the Afghan people. At the conference, the international community showed its support for Karzai's development strategy. A year after the program received funding, slow but real improvements were seen in Afghanistan's budget as a whole. According to the International Monetary Fund (2008), "the execution of the Development Budget improved significantly and in 2006/07 was around 50% higher than in 2005/06."

Despite these macro budget improvements, the data suggests that poverty rates remain high. As noted by the IMF, "almost every other Afghan is living under the poverty line [and] an additional 20% of the population is concentrated close to the poverty line and is at risk of falling into poverty" (International Monetary Fund, 2008). In some provinces, over 70% of the population is living in dire poverty. It has only been a short time since Afghanistan has received massive funding to combat poverty, and with more time allowed for the new programs to expand it can be expected that scarcity will decrease. Poverty is a worldwide issue and even exists within developed countries that have secure social programs. Thus, even with well established programs and initiatives, fighting poverty in Afghanistan will be an uphill battle.

Healthcare

Compared to many other countries, Afghanistan's average life expectancy of 44 years is extremely low. According to the Islamic Republic of Afghanistan (2008), Afghanistan has ranked near the bottom on global measures of nutrition and health for decades. Improving these conditions is necessary if Afghanistan hopes to improve as a whole. As described by Skaine (2002), during the Taliban rule it was against the law for women to visit hospitals or even seek medical attention at home. Such laws increased infant mortality rates and put women at serious risk. Today these laws have been abolished, yet the healthcare system remains lacking.

Afghanistan's National Development Strategy aims to improve the availability and quality of healthcare in Afghanistan. According to the Islamic Republic of Afghanistan (2008), a few of these objectives include expanding the basic healthcare package to cover at least 90% of the population by the end of 2010, and providing full immunization coverage for infants under five. While these goals appear ambitious, the country has made great progress:

The percentage of the population living in districts where the Basic Package of Health Services is being implemented has increased from 9% in 2003 to 82% in 2006. The percentage of primary health care facilities with at least one female doctor, nurse or midwife has increased from 26% in 2004 to 81% in 2007. Between 2003 and 2006, coverage of BCG vaccine among children 12-23 months of age to protect against tuberculosis increased from 57% to 70% and receipt of three doses of oral polio vaccines increased from 30% to 70% (Islamic Republic of Afghanistan, 2008).

These increases are substantial and prove that the ANDS is making a considerable impact on people's lives. The young Islamic Republic of Afghanistan has made significant progress since it was established less than a decade ago. Its National Development initiatives have made significant progress in combating Afghanistan's historically lacking education system, rampant poverty, and the once virtually non-existent healthcare package. Although there is still significant work to be done, the new government and president Karzai deserve some credit for the advancements. Compared to previous situations in Afghanistan, the advancements have been considerable. Hopefully, with more time, all of the goals of the Afghan National Development Strategy will be realized.

CONCERNS

During Hamid Karzai's first term as president, he remained fairly popular among the Afghan people and was viewed by the world community as a hopeful example for Afghanistan's future as a democracy. This positive image began to fade as rumors of corruption and scandal started to surround him. This section examines the concerns surrounding the Karzai presidency and the broader Afghan government.

Poppy Production, Election Fraud, and Drug Trade

According to Cloud and Gall (2005), poppy production in Afghanistan skyrocketed after the fall of the Taliban. In late 2005, the United States demanded the destruction of poppy fields, but received significant resistance from local authorities and little support from President Karzai. Cloud and Gall note that in 2005 provincial elders in Afghanistan had "impeded destruction of significant poppy acreage" and government officials, including President Karzai, did not seem motivated to enforce the destruction. American officials have since realized that destroying the poppy fields is not a simple matter. Since the removal of the Taliban, poppy production has become the sole source of revenue for numerous Afghan communities. Simply destroying poppy fields without giving farmers an alternative source of revenue could cause riots in the already impoverished country.

Allegations of election fraud are also a source of concern. In 2009, President Karzai was up for re-election. According to Gall and Khapalwak (2009), Taliban rebels made efforts to

discourage voters from participating in the election. As in the 2004 election, the Taliban began leading a strong campaign “of threats and intimidation” aimed at dissuading Afghans from voting. Although the Taliban were largely unsuccessful, President Karzai succeeded in ruining the integrity of the election himself. As described by Hider (2009), in August of 2009 Abdullah Abdullah, the former foreign minister and Karzai’s primary challenger for the presidency, accused Karzai of election fraud and treason and “called for a criminal investigation into allegations of massive vote rigging.” Abdullah warned that the corruption within the government would have a serious impact on the ability of the Afghan people to fully regain confidence in their new government. As Abdullah continued to stir up controversy in the following months, Karzai agreed to participate in a runoff election.

Karzai was named the winner of the run-off election, but scandals surrounding his legitimacy continue to grow. Filkins (2010) describes that in October of 2009 Karzai’s brother, Ahmed Wali Karzai, a powerful figure in Southern Afghanistan, was accused of having connections to the CIA and of profiting from and promoting the narcotics trade out of Afghanistan. Hamid Karzai has “turned down repeated requests by both the U.S. ambassador and the top American commanders to move Ahmed Wali Karzai out of Kandahar” (Filkins, 2010). The issue of removing Hamid Karzai’s brother is complicated because of his alleged ties to the CIA, which maintains a large presence in Kandahar. Current and former American officials, speaking on the condition of anonymity, say that the agency has paid Ahmed Wali Karzai regularly for many years for performing a variety of services. In previous interviews, Ahmed Wali Karzai has acknowledged that he has helped the American government battle the insurgency (Filkins, 2010). These facts suggest that the concerns surrounding the drug trade and Ahmed Wali Karzai are extremely complicated and thus not easily fixed. With Ahmed Wali Karzai holding great influence, not only is his removal extremely complex, but his promotion of the Afghan narcotics trade is also difficult to stop.

The drug trade has also complicated Afghanistan’s relationship with some of its neighbors. With the Afghan narcotics trade failing to be curbed, the relationship between Afghanistan and Iran has become particularly strained. In 2009, the Iranian government “decided to block more than 700 km of its joint border with Afghanistan...to prevent drug trafficking and ensure security” (British Broadcasting System, 2009). According to the BBC, Afghanistan is the main producer of heroin in the world, and Iran, which has strict policies against the drug trade, is having trouble preventing heroin from entering via the Afghan boarder (British Broadcasting System, 2009). Recently, Iran has considered replacing the existing barbed wire fence with a concrete wall to further assist in decreasing the heroin supply entering the country, but “such a decision by the Iranian government has been rejected by Afghan officials” (British Broadcasting System, 2009).

RECOMMENDATIONS & CONCLUSION

The circumstances in Afghanistan are extremely complicated. Based on the research that I have presented, it is clear that Afghanistan faces several challenges in the years to come. Violent insurgent attacks continue to threaten the new Islamic Republic, election fraud and internal dishonesty have all but shattered the Afghan faith in the democratic process, and a growing drug trade within the country is causing additional concerns. In order to combat these threats I recommend the following:

1) The U.S. military presence must continue to safeguard the accomplishments of the Islamic Republic of Afghanistan and reconstruction efforts such as the Afghan National Development Strategy. Afghanistan continues to face violent insurgent attacks. Without a strong military presence, insurgents could easily defeat the new Afghan government and destroy the improvements made through ANDS over the last several years. Such an event would be devastating and must be prevented by continued U.S. military support.

2) The Afghan government must take action against corruption in order to regain legitimacy. The allegations of fraud that surrounded Hamid Karzai's most recent election have caused extensive alarm and anguish. If the next presidential election incurs even the slightest tampering, immediate steps must be taken to remove and replace any officials involved.

3) Restorative agricultural programs must be provided to combat poppy production. The growing drug trade is one of the most complicated issues the country is facing because it has become the sole avenue out of poverty for many Afghan farmers. Much of Afghanistan's lands devoted to agriculture have been devastated due to decades of war. It is vital that steps are taken to restore productivity to the soil so that it can support more diversified crops, thus allowing farmers to return to traditional crops and move away from poppy production.

4) Officials known to be involved in the drug trade must be removed from office. Continued efforts to remove individuals suspected of having ties to the drug trade must be made. If such individuals are allowed to remain in power, they will continue to use their influence to support poppy production.

In short, it is clear that Afghanistan faces many challenges in the years to come, but there are still great expectations for the future. After the years of chaos the Afghan people have endured, it is critical for the advancement of the country that the government appears legitimate and provides the Afghan people with a long-deserved sense of stability. Although the recent scandals involving President Karzai have caused concern, in another five years the democratic process will allow the Afghan people to elect a new leader and fully restore legitimacy to their government. In the meantime, the next five years should allow for the continued expansion of the Afghan economy and the newly formed social programs. I believe, although optimistically, that if given time, the new social programs will expand and the Afghan economy will reemerge, bringing economic and social stability to the country after decades of turmoil.

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HEZBOLLAH AND WARTIME RECONSTRUCTION

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There is much debate in academic and policy circles about whether non-state actors can be better providers of social welfare than state institutions. In the Middle East, as Anthony Cordesman asserts, many citizens, civil society actors, and even states themselves “have no enemy greater than their own governments” (cited in Anderson, 2007). According to Wood (1997), however, non-governmental welfare organizations are often poorly-managed, just like their public counterparts: they are not transparent, are run with an authoritative culture, provide services based on client-patron relationships, and largely deny opportunities for participatory decision-making. In the developed world, some governments *choose* to delegate the implementation of certain welfare programs to non-state (or quasi-state) providers, or at least develop the administrative and regulatory capacity to manage a relationship with outside providers. In the developing world, in contrast, non-state welfare providers often emerge out of a lack of effective public institutions and may be less regulated and coordinated than in industrialized states with more developed bureaucratic capacities. In these situations, it is often unclear whether non-state actors compete with state welfare programs, challenging already-weakened state institutions, or supplement them.

Columbia University Dean Lisa Anderson has explored this question extensively and asks whether non-state welfare providers erode states’ legitimacy and/or the meaning of citizenship. According to Benthall (2007), non-state welfare providers can be helpful in times of crisis, such as war, when state institutions are largely incapacitated. During emergencies, non-state actors can answer “the hopes of suffering people who are looking for effective action to reduce the misery of wars and disasters.” In her study of what she calls the “organizational reactions to the civil war,” Harik (1994) observes that the Shia community, in particular, suffered from tremendous destruction during the civil war that began in Lebanon in 1975. Harik’s analysis of Hezbollah’s provision of reconstruction services (led by the Reconstruction Campaign) during and after the war indicates that Hezbollah provided much-needed services to Shia communities during a time of crisis. In the short run, Hezbollah’s reconstruction services supplemented state efforts to respond to the overwhelming demands to repair infrastructure damaged during the war. In the long run, however, Hezbollah continued to provide extensive reconstruction services, even after the state had apparently regained relative control. This may have positioned Hezbollah as a competing welfare provider, arguably contributing to the erosion of the Lebanese state’s legitimacy.

During the late 1970s, Marzouk (1997) writes, “the failure of welfare states was almost complete” in the Arab world. Throughout the course of Lebanon’s protracted civil war, para-legal public and social service providers emerged to supply services that the state, in general,

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could not provide (Harik, 1994). One important sphere of welfare provision was the physical reconstruction of basic infrastructure that was damaged or destroyed during the fighting. Organizations involved in these building projects were “remarkably organized,” according to Harik, and “[t]heir knowledge and ability [was] based on experience...and they [were] quite aware of management techniques and processes” (cited in Anderson, 2007). Hezbollah’s non-governmental organization, Jihad al-Bina’, coordinated the Reconstruction Campaign, whose mission was “to repair war damage and to address the unattended daily needs of the population in all three areas of Shia concentration” (Harik, 1994). This meant building roads, communication lines, houses, hospitals, and other buildings. In the late 1980s, the Reconstruction Campaign also began to provide daily refuse collection for over half a million people, as well as water and electricity service (Harik, 1994).

The Reconstruction Campaign was successful at improving basic infrastructure for several reasons. As Benthall (2007) writes, “local and national Muslim networks can often provide effective relief and welfare services through their strength at the grass roots,” a strength that Hezbollah and its network of supporters certainly possessed during that time. Marzouk (1997) also notes that NGOs have often played a more significant role in countries with weak governments—during the civil war, the Lebanese government’s capacities were severely weakened, thus opening more space for non-state actors to operate.

Did the Reconstruction Campaign actually provide better than the state? In many areas, yes. Wood (1997) observes that scholars and policymakers, in general, tend to assume “the supposed superiority of NGOs over the state.” While this is certainly not always true, Harik’s portrayal—and those of others—of the condition of the Lebanese state apparatus during the civil war is not that of a capable, omnipresent one. In fact, Harik (1994) notes that in the area of refuse collection, “governmental agencies in several municipalities were entirely inactive.” The sheer size of the demands for infrastructure reconstruction made it difficult, if not impossible, for the state to be the sole provider of many services.

In this relative vacuum, the Reconstruction Campaign played a prominent role. While Benthall (2007) observes that “the power of religion [can] stir consciences to practical humanitarian action,” Hezbollah’s service provision was more likely motivated by political considerations. Harik (1994) similarly contends that most projects and services provided by non-state actors in Lebanon conferred considerable “political mileage” for those groups. As the war dragged on, Hezbollah and similar organizations emphasized “projects that specifically reinforced primordial communal attachments” and community solidarity (Harik, 1994). Thus, as Harik concludes, “the political motivation behind these activities is obvious.”

In the short run, the Reconstruction Campaign’s rebuilding of basic infrastructure was a supplement to state efforts, which were apparently minimal. Although the Council of the South, an entity born of Lebanon’s Ministry of Social Affairs, did initiate some projects to repair roads, schools, houses, hospitals, and bridges, such projects were often poorly executed or unsustainable (Harik, 1994). Harik observes, for instance, that “electrical breakdowns often went unattended by government employees,” and that “little planning and development work could be expected from the government, at least in the short term.” Even efforts by international organizations failed: several of UNICEF’s attempts to build wells, for example, fell short (Harik, 1994). In countries with weak or incapacitated governments, Anderson (2007) writes, non-state welfare initiatives “are often a rejection of the state altogether as they are supplements to government efforts.” Although it is hard to say definitively, Hezbollah’s reconstruction efforts may have amounted to a rejection of the state as a legitimate and capable provider for its citizens.

In practice, however, its projects supplemented inadequate attempts by government ministries to rebuild Lebanon during and after the war.

In the long run, after relative peace and stability were restored in Lebanon and the government began to rebuild, Hezbollah's continued provision of reconstruction services may have evolved into more of a challenge to state institutions. Years after the war ended, the Reconstruction Campaign continued to be the main provider for many basic services. When Harik's book was published in 1994, the Reconstruction Campaign was "still fixing the Dahiyah's drainage and sewage networks to reduce unsanitary conditions caused by flooding and backup...still the major source of drinking water for a half million people," and still the main refuse collector in many areas (Harik, 1994). After a war, it can be expected that state capacity would remain low for a period, and that non-state welfare providers would act as supplements to sub-par efforts by the state. As the government rebuilds and seeks to re-assert itself as the primary welfare provider in the country, however, non-state welfare providers may pose more of a challenge to the state.

Hezbollah's continued provision of basic infrastructure support after the war ended demonstrates two issues in particular. First, it is a sign of Hezbollah's sustained strength as an actor in Lebanese society. Hezbollah has been described as a "state within a state," in large part because of its wide social service infrastructure and superb management skills (Anderson, 2007). Since its formation, the organization's welfare provision has, in general, expanded steadily. As Harik (1994) writes, "once such public service and social assistance programs were begun, the momentum for expansion was hard to resist." Thus, Hezbollah's prominent role in welfare provision was not merely a war-time reality or a way of supplementing state failures in a time of crisis—rather, the organization continued to grow and draw support in connection with its service provision. Second, it illustrates the state's relative weakness as an actor in Lebanese society, even years after the war ended when relative peace and government capacity has been re-established. At the war's end, Hezbollah called on the government to perform its (the state's) reconstruction duties in Shia areas (Harik, 1994). At that time, however, the government was still incapable of providing for the basic needs of most of Lebanon's rural population (Harik, 1994). This may have had a delegitimizing effect on the state and its role as a welfare provider.

Thus, by rebuilding basic infrastructure during and after the civil war (in addition to providing numerous other social services), Hezbollah garnered a broad and committed support base. In part because it has continued to serve as a primary welfare provider for many segments of the population, even after the war ended, Hezbollah has arguably emerged as a challenger to state welfare institutions, presuming that some state welfare institutions really operate. This has had damaging effects on the state's primacy as a provider for the people. By extension, it may have damaging effects on the state's legitimacy.

In sum, the Reconstruction Campaign's infrastructure support during the civil war had different effects on the Lebanese social welfare regime, depending on the time frame. In the short run—that is, during and immediately after the war—the Reconstruction Campaign provided an emergency service that the incapacitated state was unable to supply. In the long run, however, after the state regained some control, Hezbollah continued to be the primary provider of infrastructure development in many areas of the country. The state's apparent inability to take over that responsibility may have further solidified Hezbollah's influence and authority in recipient communities.

Benthall (2007) writes that "high values and ideals are better expressed by actions than by fine words." Hezbollah delivered during the war, which enhanced support for the

organization. In a moment of state collapse, therefore, Hezbollah's service organization stepped in to provide emergency wartime relief. By continuing to perform as perhaps the best welfare provider in some communities during the post-war period, even after calling on the state to take responsibility for reconstruction, Hezbollah's service provision was a more direct challenge to the state, rather than a supplement. Welfare provision, according to Anderson (2007), "is not simply an elective policy choice of governments but constitutive element of the international state system." In light of this, perhaps the state's inability to be the universal provider of welfare in the years since the civil war detracts from its legitimacy.

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LOOKING FORWARD: THE IMPLICATIONS OF A DRONE-HEAVY FIGHTING FORCE

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The advantages of drone warfare are immense, from intelligence gathering capabilities to the actual act of waging war. However, while there are persuasive arguments for a major shift towards a robotic force, there are also issues that must be addressed. For the sake of clarity and to minimize confusion, some details should be made known. In this paper, the word “drone” will be used as a generic term for all types of robotic, unmanned pieces of machinery. Of the types of drones, the UAVs, Unmanned Aerial Vehicles, are the most commonly reported, most notably in the Predator Drone flights over Pakistan targeting Taliban and al-Qaeda leaders.

That said, the diversity of drones in the development of American military alone is remarkable and is growing at an ever faster rate (Department of Defense, 2010). Robots like the Packbot and Talon (picture a rather flat metal box the size of a luggage bag with all-terrain wheels or treads, controlled much like a radio control car) can be equipped with anything from an arm to manually disable roadside bombs to an M16 Assault rifle. As if merely land and air weren't enough, ocean-going mine sweepers are also in development for the Navy, and the list of duties goes on for these seafaring robots.

With the rise of asymmetrical warfare during the past few years, the military has had to adjust to new formulas for winning. Counterinsurgency plans today are filled with the concept of “winning the hearts and minds,” yet the need for logistical data in areas such as the terraced urban locations or sprawling fields and mountains take precedence. It is here that we see a major divide: The soldiers on the ground have to make connections with the local people, make them feel safe, and, more importantly, make them trust the ground forces. However, this is not easy when the imposing hum of Predator drones can so often be heard, and when one couples that with the memory of several instances of “collateral damage” caught in the bombing runs; it is understandable why the situation has become so complicated. The two factors together may even push some citizens further along the path of joining the resistance forces.

The contributions to the intelligence community and military that UAVs provide are peerless in the amount of data that can be collected by a single unit. This asset, however, is just as easily one of the greatest weaknesses. The mere quantity of footage is staggering and likely to rise with further improvements to the surveillance systems aboard the crafts. The “Gorgon's Stare” program, for instance, in development at the Defense Advanced Research Projects Agency (DARPA) “will film an area with a four-kilometer radius underneath the Reaper during both day and night operations from 12 angles” (Hoffman, 2009). As noted in *The Economist*, “during 2009, American drone aircraft flying over Iraq and Afghanistan sent back around 24 years' worth of video footage. New models being deployed this year will produce ten times as many data streams as the predecessors, and those in 2011 will produce 30 times as many” (“The

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Data Deluge,” 2010). With such exponential growths in the system, the military needs a more robust information analysis program built specifically for this ever growing avenue of footage.

Meanwhile, while the intelligence community will likely be creating jobs due to innovations in robotics, the opposite will likely happen to the military. The United States Air Force (2010) has already put forward a hypothetical “flight plan” towards a fully mechanized force by 2047. What this shows is a stronger and stronger trust in a weapons’ system. Such a trend could easily spread among the branches of the military. With that shift towards mechanization, there will be structural displacement in the ranks to an unparalleled level with a major focus on the most specialized units.

Take, for instance, the case of the United States Air Force. Not only are Predator Drone pilots taking the place of fighter pilot aces for the most esteemed positions, but they are doing it with a significantly shorter and less rigorous training schedule. The criteria for being a great pilot has nearly shifted from who has the finest knowledge, reaction times, and years of training, to who can rack up the highest score in *Call of Duty: Modern Warfare 2*, a video game. With such a paradigm shift, it is expected that the particularly old-school “Top Guns” are upset with the new focus; however, this is not going to change the way the system works. In fact, theoretically all of the jobs tied to flying are at risk: the efficiency of long range bombers rises immensely without the component of human fatigue. Moreover, with the dawn of more powerful artificial intelligence within the systems, it becomes likely to see a shift in dogfighters from humans to split second reacting fighters that can withstand as many gravitational (“G”) forces as the aircraft itself can handle, a difference of roughly ten Gs. As it stands, then, not only can we expect a change in personnel and likely some large dissenters in the move, but also another further reaching trials on the horizon in the form of “Strong AI,” (Artificial Intelligence) that can function well when left to its own devices, rendering humans out of the equation entirely.

In response to this foreseen shift towards drones, the branches of the military will need more than just a larger workforce of mechanics: they will also need an overall more technologically competent fighting force. What I refer to is not simply a push toward personnel who can manage a Twitter account, but rather a group with a flexible, consolidated knowledge on drone maintenance for whatever may be thrown their way in the midst of battle. This should especially be the case for frontline ground troops who, in the future, will likely have a closer and closer working relationship with the robotics of tomorrow.

While there certainly seems to be no lack of enthusiasm by the private sector to provide drones, we need to ensure that the innovations do not stop flowing. Accordingly, the United States needs to foster not only education in math and science, but also the computer sciences starting at an early age. We are already blessed to have a younger generation interested in technology, from mp3 players to the iPad. All that is left is to have them take that step from appreciating the technology to knowing how the gadgets work. As noted by Regina Dugan (2010), the director of the Defense Advanced Research Projects Agency, there should be a reaching out to both industry and universities to encourage some of the best and brightest to join DARPA as “the Nation’s elite army of futuristic techno geeks...dreamers with V8 engines....”

Keeping the future military system running is without a doubt important, but it does not mean a thing if the legality of drone warfare is annulled. This is indeed the case set forth by a number of activists and organizations such as the American Civil Liberties Union, which states:

The government’s use of drones to conduct targeted killings raises complicated questions—not only legal questions, but policy and moral questions as well... .These

kinds of questions ought to be discussed and debated publicly, not resolved secretly behind closed doors. While the Obama administration may legitimately withhold intelligence information as well as sensitive information about military strategy, it should disclose basic information about the scope of the drone program, the legal basis for the program and the civilian casualties that have resulted from the program (“ACLU Seeks Information” 2010).

Such issues should be analyzed in the infancy of the ever-growing drone program, before it is too late to prevent a possible humanitarian crises.

Not only are there discussions about the legality of certain programs that grant permission to eliminate high risk targets, but there are also issues of further responsibility. Information technology has allowed the proliferation of behavior not befitting the military to leak into the media—for better or for worse—as well as greater emphasis placed upon eliminating collateral damage (Shachtman, 2009). What this has led to is one of the most “self-conscious” militaries in recent history. While the military does have a system for trying offenders of conventional war crimes, the problem lies with who takes the responsibility when it is a drone that begins a humanitarian crisis?

The situation is not as Sci-Fi as it may seem; there is no need for a character like Hal-9000 or the Terminator in these events. Rather, it could simply be a mechanical or programming error that sets things in motion. Should a programmer be charged for war crimes if his or her creation malfunctions and recognizes all the civilians in a crowded market place as assailants? Could it be the manufacturer’s fault for not building enough of a failsafe system into the machinery itself? Is it the soldier’s fault for not being able to disable his robotic counterpart? These are not easily answered questions, and there may be no “right” answer.

In addition to the legal challenges, there is the issue of cyber security, which may be one of the greatest challenges to the future of drone warfare. While one could certainly succeed with cyber tactics on both sides of the spectrum, warfare and security, the independence of drone operations are not as cut and dry. Drones demand a strong foundation in the realm of information security; otherwise, what may be one of our greatest assets could easily be turned against us by the hands of a few particularly brilliant hackers.

We have seen it before on several occasions: the 2007 cyber terrorism against Estonia or the attacks on Georgia preceding its military confrontation with Russia. Both rocked the public utilities to a halt through the flooding of bandwidth on important governmental websites. To ignore America’s own run ins with cyber warfare would be a folly. There were the intrusions on government computers by, likely, the Chinese or North Koreans, as well as the rise of the dreaded Conficker Virus. Private entities are not immune, either. In 2010 Google announced that China had intruded into its web mail system, and even Sarah Palin’s email was once hacked by a group of “anonymous” hooligans. What this demonstrates is that America is just as vulnerable as any other nation when it comes to cyber terrorism. If anything, with our population’s dependence on advanced technology, we are more at risk.

Meanwhile, our agencies have been fighting amongst themselves for the head position as the “go-to cyber terrorism bureau.” In the end, this has left us with a lack of a dedicated cyber warfare agency and a battle among agencies to keep all their finest technological minds (Clark, 2009). The infighting shows that when a private company such as Google can more precisely track the source of hacking than the combined forces of the American government, there is something significantly wrong.

The domestic issues are important, but couple those with the possibility of hackers in a future of drone warfare. Already, we have dealt with the first of what are sure to be many instances of drone hacking. Through an inexpensive computer program, terrorists have managed to get a jump start against our UAVs by “taking advantage of an unprotected communications link in some of the remotely flown planes’ systems” (Gorman, Dreazen, & Cole, 2009). According to Gorman et al. (2009), “[Shia] fighters in Iraq used software programs such as SkyGrabber—available for as little as \$25.95 on the Internet—to regularly capture drone video feeds.” This is just the tip of the iceberg of what is to come. Accordingly, a department focused solely on the safety of our communication systems and military hardware is paramount to America’s safety in the incoming years. The last thing anyone wants to see is a compromised drone system that turns on the very troops or civilians that it is designed to assist or protect.

In recognition to these challenges the Pentagon faces, I propose the following:

1) Develop a new diversified troop structure that integrates the tactical assets of robotics with the diplomatic and humanitarian responsibilities of troops. The military must make the best of its assets. Drones are and will be more efficient in roles with specific responsibilities such as bomb defusing and surveillance. The troops, on the other hand, can bridge the gap of diplomatic ties and humanitarianism far more effectively, as well as react more fluidly to the most diverse of situations. Only through a coexistence of both can these new challenges of asymmetrical warfare be more easily mitigated.

2) Utilize a number of new methodologies such as crowd sourcing and pattern recognition to filter through the data at a faster clip. The intelligence bureaus must take advantage of a tiered system that eliminates the greatest outliers in the data and gives human experts a more manageable data stream upon which to focus. Crowd sourcing makes use of the populace and delegates small responsibilities, like spotting something on a Google map picture, to massive groups of people. In the case of drone imagery, analysis pattern recognition would work in generally the same way as crowd sourcing, by sorting through thousands of images looking for a specific trait. Instead of by people, however, it is run by a computer program. By combining the two methods in a tiered system, with the human expert analysts at the end, the intelligence agencies could have a reliable, and substantially lighter, load to sort through.

3) Prepare for the displacement of specialty units within the branches of the military. Just as the horse was rendered obsolete by the jeep and tank, some professions simply cannot compete with their drone managed cousins. Unlike the horse, however, humans need to work to support themselves and the military should be ready and waiting with the opportunity to train and employ them in the new roles needed in a drone-enhanced military.

4) Promote technological growth and education to ensure a competitive edge in the future. The United States must keep pushing the envelope for drone and counter-drone technology. With an integrated force, modifications would be more manageable, and with that the branches of the military could become all the more flexible in times of crises. However, this is all predicated on a future of excellent minds that excel not just on flimsy benchmarks like test scores, but on true innovation.

5) Actively pursue the modification of international law. As the usage of drones increases, so, too, will the number of legal questions surrounding it. The issues cannot be resolved by one state and must be expediently dealt with as they come to the floor of supranational organizations such as the United Nations. Drone warfare is accelerating; if the laws do not keep up, the international community will have to scramble for answers when dire consequences arise.

6) Follow through with the creation of the Cyber Security bureau. The threats to the United States brought forth by cyber war are massive and tied to a growing reliance on communication. The new bureau must not only bolster the security of the public information networks but must also guarantee and regulate the safeguards on drones to prevent disaster.

In the end, the issues confronting drone warfare in the future are great, but so are the advantages. The military of the future must be modified to continue to achieve its goals in this new changing times. We have the technology.

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THE RECALCITRANT BURMA: R2P AND ASEAN

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At the 43rd ministerial meeting of the Association of Southeast Asian Nations (“ASEAN”) in July 2010, Burma was given an “earful” from ASEAN foreign ministers, signaling the possibility of a break from ASEAN’s traditional protocol of non-interference (Wade, 2010). Since the military coup d’état in 1962, the Burmese people, particularly political dissidents and ethnic minorities, have been subjected to escalating human rights violations by the junta. Despite international pressures, economic sanctions, and grassroots democracy movements, the military junta remains and clings steadfast to its abusive reign over its citizens. The first step to a Burmese democracy lies in halting and preventing recurrence of human rights abuses. ASEAN’s recent diplomatic departure provides an opportunity, not only for Burma, but for all of Southeast Asia, for the implementation of a new international norm in the making—the Responsibility to Protect (R2P).

Burma’s Human Rights Abuses

Burma has long been regarded as the recalcitrant eyesore of Southeast Asia, a fast-growing region attracting increasing international attention and investment. Burma is a member of ASEAN; its actions reflect on the entire regional group. In that context, Burma’s human rights abuses preclude easy solutions. The junta’s seemingly lack of concern towards its people and its unwillingness to cooperate with concerned countries has frustrated policymakers and observers for decades. According to the Irish Centre for Human Rights (2010), forced labor, religious persecution, and systematic rape by Burmese army officers are widespread against the Rohingya ethnic people. As recent as July of 2010, more than 500 people were reportedly displaced in eastern Karen State’s Hpapun Township after their village came under artillery fire from Burmese army troops who also burnt down most of the houses in the village (Noreen, 2010). The pattern is unmistakable. Burma’s record suggests that government killings of other ethnic groups constitute at least crimes against humanity, if not genocide, as defined by Article VII of the Rome Statute of the International Criminal Court.

Why ASEAN?

Despite Burma’s membership in the United Nations, the organization has failed to induce the country towards democratization or ethnic reconciliation within the state. With 192 members, including five with veto privileges, deadlock and discord has prevented any meaningful action

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against Burma. For example, during the 2007 Burmese pro-democracy protests, China and Russia vetoed a US-backed resolution criticizing Burma's deadly reaction to protesters (Lynch, 2007). It is unrealistic to assume that great powers will share similar foreign policy goals and ideology, as demonstrated by strained Sino-American relations over the South China Sea dispute (Zhao & Ten Kate, 2010).

If not the United Nations, theoretically the most powerful global organization, who can spearhead leadership on R2P in Burma? Chapter VIII of the United Nations Charter, entitled "Regional Arrangements," can be a guide for making R2P operational. As highlighted by the Stanley Foundation (2008), "there is a growing trend in Latin America, Africa, and Southeast Asia to deal with violent crises at the regional level first." Regionalism can therefore be perceived as an alternative to globalism, a superior substitute to the principle of universality. Within a region, "adaptations of international or regional solutions can be intelligently carried out, and commitment by states to each other can be confined to manageable proportions and sanctioned by clear bonds of mutuality" (Claude, 1971).

However, Article 53 of the UN Charter also states that "no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council." Therefore, ASEAN, like other regional organizations, is only a supplement to the United Nations. However, the renewed commitment to build an Asian regional security framework, reaffirmed at the Shangri-la Dialogue in Singapore in June 2010, represents a potential opportunity for the transfer of responsibility to ASEAN. While the United States and China maintain an active presence and increasing interest in the region, entrusting regional security to ASEAN will empower the organization to take ownership of Southeast Asia's shared future and assert its primacy as a regional protector.

Many dismiss ASEAN's leadership in resolving mass crimes in Burma due to the organization's non-interference policy. However, since Burma's ascension to the regional grouping in 1997, ASEAN has attempted "constructive engagement" to advance democratization of the authoritarian state (Amer, 1999). In essence, ASEAN has refrained from taking steps that would embarrass and isolate the government. The political dialogue has aimed to provide regional assistance and encouragement for political and economic change. However, similar to President Ronald Reagan's strategy against apartheid, the diplomacy of accommodation not only lowers ASEAN's credibility, but also diminishes its lauded centrality in the key regional security structures, including the ASEAN Regional Forum and the East Asia Summit.

Remarkably, ASEAN has engaged Burma behind the iron wall of sovereignty, with the most recent example being the establishment of the Tripartite Core Group. Created during Cyclone Nargis in 2008, the Group convinced the military junta to allow international humanitarian aid to enter the state. ASEAN's geographical, political, cultural, and economic relations and engagement with Burma must no longer be overlooked.

Purpose and Scope of R2P in Southeast Asia

The notion of Responsibility to Protect ("R2P"), as originally conceived by the International Commission on Intervention and State Sovereignty (2001) encompasses three responsibilities: (1) The responsibility to prevent, (2) The responsibility to react, and (3) The responsibility to rebuild. The United Nations adopted the doctrine of R2P at the 2005 World Summit. According to Wong (2009), "the doctrine provides that where sovereign governments are manifestly failing to discharge their primary responsibility to protect their populations from

‘genocide, war crimes, ethnic cleansing and crimes against humanity,’ that responsibility shifts to the wider international community acting through the United Nations.” Furthermore, “R2P asserts that ‘the primary responsibility for the protection of its people lies with the state itself,’ and that it is only when ‘the state in question is unwilling or unable to halt or avert [serious harm to its population that] the principle of non-intervention yields to the international responsibility to protect’” (Wong, 2009). Unfortunately, Southeast Asian countries have been both victims and perpetrators of R2P’s genocide, war crimes, ethnic cleansing, and crimes against humanity criteria, ranging from the Khmer Rouge’s genocidal reign in Cambodia to Indonesia’s alleged war crimes in East Timor.

While ASEAN could restructure its charter to obtain greater supranational authority, the use of force across borders to save civilian lives conducted primarily in terms of “humanitarian intervention,” a phrase fatigued by use and bogged down by the weight of history, would not work in the ASEAN context. The sensitivities that make this approach ineffective in the region can be attributed to the colonial experiences of most Southeast Asian states, especially those that paid the price of blood for their independence.

R2P should not be misconstrued as a precursor to democratization or as a “Trojan horse” for wanton intervention. The norm is targeted at preventing unlawful deaths via mass atrocity crimes. For example, a nation can be ruled by a benign leader, yet the administration is principally no more democratic than Burma’s military junta. R2P does not bestow or demand the power to intervene in domestic politics by ASEAN.

R2P and ASEAN’s Iron Wall of Sovereignty

The fundamental notion of sovereignty defines a government’s absolute and indisputable power over its subjects in a specific territory. As Thomas Hobbes wrote in the *Leviathan*, the sovereign is “one person, of whose acts a great multitude...to the end he may use the strength of them all...for their peace and common defense.” Sovereignty from the Westphalian standpoint has weakened from the increasing internationalization of human rights. The post-World War II international trials of Nuremberg and Tokyo impacted the state in two ways: they “reached behind the iron curtain of Westphalian sovereignty and held that individuals have international human rights which State action cannot jeopardize” and (2) they “represented practical manifestations of the authority of the international community under international law to question and assess the internal activities and laws of the State” (Maogoto & Kindiki, 2007).

From the ASEAN perspective, forcible intervention in sovereign states, in light of the ASEAN and the UN charters, is a violation of international law with grave implications for regional peace and security. But, the shadows of Cambodia, Rwanda, and Serbia require the notion of universal respect for human rights as a precondition for a stable national and international order. Additionally, many national boundaries in Southeast Asia do not overlap with ethnic, religious or cultural distribution, and consequently leads to a “spill-over” of conflict, such as refugees from the northern Southeast Asia escaping domestic repression. These new patterns of trans-border conflict mean that traditional “soft” diplomatic engagement may be inadequate where whole populations are threatened with violence by their governments (Maogoto & Kindiki, 2007).

If ASEAN’s “iron wall” is impenetrable from the outside, a solution must then come from within. Despite ASEAN’s norm of non-intervention, modern history has demonstrated that perpetrators of mass atrocities cannot escape accountability behind the iron wall of sovereignty.

As members of the United Nations, ASEAN countries are bound by UN Charter's Article 55, which commits members to promote "universal respect for, and observance of, human rights and fundamental freedoms for all," and Article 56, which commits the members to "take joint and separate action...for the achievement" of universal respect for human rights.

The implementation of R2P by the ASEAN would not be an abandonment of sovereignty, but a celebration, revitalizing the obligations of Hobbes' social contract theory and elevating it to the regional level, lest the lives of ASEAN citizens degenerate to being "solitary, poor, nasty, brutish and short." As the United Nation's Secretary General's report has asserted, "[R2P] is an ally of sovereignty, not an adversary" and "seeks to strengthen sovereignty, not weaken it" (Ban, 2009). R2P's critics, however, claim that the largely white, Western, upper middle class notion is nothing but a new form of imperialism, depicting sovereignty as a sham, and justifying actions such as preemptive interventions (S.J. Michalak, personal communication, 2010).

Imperialism at the regional level is inevitable if the organization seeks to become effective. Regional organizations are a shared hegemony. No state, however powerful, has been able to shield its affairs completely from external influence, unless the North Korean syndrome plagues the world. Furthermore, as a result of changes in international justice and the values of humanity, state sovereignty today is increasingly viewed within the context of responsibility. This "transfer of responsibility" has been "premised on the notion that a state that cannot protect the basic rights of its population has forfeited its sovereignty, and the international community has a duty to re-establish it" (Deng, 1995). Additionally, "sovereignty is not only a claim of freedom from external interference; it is also the liberty to permit some kinds of external interference" (Havel, 2000). Against this backdrop, the ASEAN's historical respect for sovereignty can be upheld. Redefining the principle not only prevents thorny disputes over ASEAN's authority, but also paves the way for greater collaboration to protect human lives.

Implementing R2P

1) Redefine the role of sovereignty in ASEAN. R2P, first and foremost, requires member states to rethink the traditional notion of sovereignty: that it no longer exclusively entails the absolute authority to govern citizens but rather the absolute responsibility to protect citizens. The R2P-ASEAN solution to Burma must not boil down to an either/or decision between "sovereignty" and "humanity." ASEAN has tremendous potential as a pioneer for regional R2P because of its sovereignty prioritizing norm. By developing a set of obligations inherent to the concept of sovereignty and its role in future operations, ASEAN can undertake more effective collective action while respecting its members' right to independent governance.

2) Establish an early warning system to coordinate and assess warning signs on genocide, war crimes, ethnic cleansing, and crimes against humanity. Early warning, on a most basic level, consists of supplying time-sensitive critical information to policymakers in advance to take effective preventive action. The crux of the system is to forecast when and where ethnic conflict or genocide is going to transpire, and to formulate policy options on prevention and, if necessary, intervention. The main challenge will be to establish an assessment framework that will reliably and coherently assemble all vital information available via government and non-governmental channels (The Stanley Foundation, 2008). Building upon the practices of the UN Universal Periodic Review, universal participation by relevant stakeholders in society should

be incorporated as appropriate. The new ASEAN Inter-Governmental Commission on Human Rights should serve as the contact point and leader in preventive diplomacy.

Burma is isolated, and its media are subject to intense scrutiny and censorship. Accordingly, the military regime's attacks on ethnic minorities have been carried out without much notice. The inclusion of non-state organizations, such as human rights watchdogs, will play a key role in identifying the symptoms of violation. By designating early warning as a priority, situations similar to Burma, where warning signs such as armed conflict and autocratic regime clearly exist, would receive greater attention (Nai, 2010).

3) Define R2P's legal foundations. ASEAN must establish legal standards governing the recognition of crimes against humanity. Currently, the principle of *nullum crimen sine lege* ("no crime without law") precludes legal interventions by ASEAN. A new institution, an ASEAN court, for example, should, at the request of national courts or ASEAN commissions, examine the R2P-governed allegations under a well-defined set of treaties that ASEAN countries have ratified and should be able to issue binding decisions. The court will comprise of nationally-elected judges from each ASEAN state, thus alleviating sovereignty concerns. Creating a supranational legal institution would not only signal ASEAN's commitment to the rule of law, but also establishes a uniform understanding of mass atrocities. Once a crime is identified, ASEAN would be legally responsible, by both international and regional law, for halting and preventing further propagation of the crime. As party to the ASEAN and consequently its court, Burma would be legally bound by court rulings and would be subjected to collective intervention by ASEAN upon failure to comply.

4) Establish an effective response system. The responsibility will lie with governments to take actions proportional to the unrest. Contrary to the traditional notion of "response" or "engagement," ASEAN states must place priority on non-violent solutions, instead of Suharto-style crackdowns. Prevention entails adopting a proactive approach to halt the spread of polarization, prejudice, and intolerance of various racial, religious, and ethnic groups. The preliminary implementation of R2P requires a compromise of ideals. There can be no retroactive or excessively preemptive application of the norm. R2P is ultimately centered on state responsibility. The necessary relinquishment of ASEAN's micromanagement encourages states to take ownership of the R2P framework in the domestic context. Consequently, ASEAN must assist states facing protection deficits and encourage operations such as the Angkor Sentinel 10, the US-Cambodia military drills designed to help train global peacekeepers against insurgency, terrorism, crime and ethnic conflict (McCoy, 2010).

History has shown that the more connected a country is to the rest of the world, especially economically and politically, the less likely it is that conflict there will escalate into genocide. Thus, economic and political sanctions against Burma should not be included in ASEAN's R2P repertoire.

5) Deploy armed peacekeeping forces as a last resort. Should diplomatic processes be insufficient, and should national authorities manifestly fail to protect at-risk populations, the perpetrators may well refuse to engage constructively with regional and international organizations seeking to ensure safety for at-risk populations. In such instances, military intervention may become necessary and *jus ad bellum* ("right to wage war") justifiable. However, considering ASEAN's extreme reluctance to act, ASEAN's intervention under just

cause must bear a high threshold. The decision to intervene must be based on a super majority support by the ASEAN Defense Ministers Meeting, a UN Security Councilsque gathering of policymakers, in consultation with heads of state. The ASEAN Way will be a double-edged sword. It may be a roadblock to prompt action, but the consensus-based approach will serve as a check against wanton intervention, military or otherwise.

What's Next?

An organization has no purpose if it cannot exert leadership and control over its members. Given the interdependent relationships of Burma with other ASEAN members, the fates of both are inextricably linked with the region's peace and prosperity. By adopting R2P, ASEAN will demonstrate that the organization is not just a "talk shop" and that "sovereignty" and "justice" are two sides of the same coin.

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U.S.-BURMA RELATIONS: THE NECESSITY FOR A DIFFERENT APPROACH

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In March 2010, the Burmese military regime announced the new election laws that required any political party to register for the election within two months (Tin, 2010). The ones that fail to register within that time period would be forced to shut down. As a result of these unjust electoral laws, Burma's main opposition party, the National League for Democracy (NLD), faced a tough decision. If the party did not re-register at the election commission, it could no longer operate legally in Burma. Facing the pressure to decide either to acknowledge the legitimacy of the 2010 election or to end the party's existence, the NLD leaders chose the latter; they refused to abide by the unjust election "laws."

Before the decision was made, some members of the NLD believed that the continued legal status was more important. The logic was that if the NLD no longer operates legally, there would be no political party that can stand up for the people in Burma. However, Aung San Suu Kyi, Burma's democracy icon and the leader of the NLD, thought differently. She believed that registering for the election, which was designed to continue the regime's power, would only add legitimacy to the military rule in Burma. Therefore, she stated that she would not think of registering her party for such elections. On March 29, the NLD unanimously decided not to register ("NLD Says 'No,'" 2010).

The decision was criticized heavily by foreign observers. Critics could not accept the symbolic gesture given to the brutal military rule. However, many Burmese believe that the NLD made a right decision and agree that the decision would not affect the pro-democracy movement. Although NLD, which inspired the Burmese during the 1988 democracy uprising and which won a landslide victory in 1990 (but was crushed by the military junta), will cease to exist, its legacy will not vanish. As Tin (2010), a founder of the NLD and a political prisoner from 1989 to 2008, stated the day after NLD's tough decision, the NLD leaders "will be among the people, with the people" and "will continue to fight for democracy."

Meanwhile, as the political opposition leaders continue to be determined to fight for democracy, the Burmese military regime also persists to be resolute about staying in power. If anything, the new Burmese election laws have reminded the world that free and fair elections will not take place in Burma. Instead, the corrupt and unfair elections will once again seek to legalize the military dictatorship, abolishing the people's hope for political reforms.

The adamant position of the Burmese military regime precludes any improvement in US-Burma relations. Thus, the status quo requires Washington to devise a different strategy towards Burma. Ever since the elections of May 1990, which were overwhelmingly won by the NLD, the United States has implemented strict economic sanctions on the military regime. Many hoped

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that the cut-off of economic aid would bring a peaceful transition to democracy. After twenty years, however, the Burmese military government still remains in power, and achieving democracy remains a distant dream. Reflecting on the inefficacy of economic sanctions, the need to revamp U.S. policy toward Burma is urgent. As the first step to enhance the bilateral relations and to bring a peaceful political transformation in Burma, this article proposes that the United States engage the military regime by nominating an ambassador to Burma.

The policy of engagement by nominating an ambassador can achieve three objectives. First, the nomination of an ambassador can reduce anti-American sentiments among Burmese high-ranking officials and enhance diplomatic relations with Burma. The Burmese military government suspects and fears the United States, and it has right reasons to. Not only has the United States implemented strict economic sanctions, but it has also denied the legitimacy of the junta. For example, the military government changed the name of the state from Burma to Myanmar in 1989, but the United States has refused to recognize the new name, even though the United Nations and many other states have accepted the new name (“Should it be Burma or Myanmar?,” 2007). If the United States seeks to extend its political influence over the Burmese military government, it needs to build a friendly relationship and establish trust through diplomatic efforts. Nominating an ambassador would serve as a starting point.

Second, the appointment of an ambassador can lead to a different set of policies replacing economic sanctions. For twenty years, the sanctions have proven to be ineffective in transforming Burma. Seekins (2005) argues that sanctions can work for “behavior modification” only if they are universally enforced. Because China and India continue to supply economic aid and provide markets for the Burmese, continued or additional economic sanctions cannot be the best policy option for the United States. Furthermore, due to political and legal constraints, enhancing the bilateral relations by dramatically increasing military assistance (the strategy that President Barack Obama has chosen for improvements to the US-Indonesia relations), is not viable. Thus, by nominating an ambassador, the Obama Administration must seek to increase diplomatic exchanges with the Burmese regime.

Third, the nomination of an ambassador to Burma would improve the policy-making process in the United States by advancing the U.S. intelligence’s knowledge of Burma. One of many obstacles in creating policies on Burma has been a lack of information about the country and the people (Selth, 2007). Placing an ambassador would help generate better assessments about Burma and Burmese people. Thus, the ambassador, along with many renowned experts on Burma, would help devise a more effective policy strategy on Burma. The amount of sources that the U.S. ambassador can acquire in Burma cannot be certain, but he/she would be able to report a more accurate depiction of the Burmese political and social environments than what is available at the present and can contribute significantly to the policy-making process.

Although the nomination of the U.S. ambassador would most likely enhance diplomatic ties between the United States and Burma, the decision would produce several political costs. First, the characterization of the U.S. policy on Burma as inconsistent seems likely, as the United States has firmly denied the legitimacy of the junta for two decades. Second, many would criticize the United States for making a benevolent diplomatic decision when no positive changes have been observed in the Burmese government. The United States has not agreed to an exchange of ambassadors primarily due to the Burmese government’s reluctance to reform. Consequently, the decision to send an ambassador at this point would confuse and frustrate many. Third, the decision can send a wrong signal that the United States can be soft on repressive governments. The development of such a notion can be harmful to the United States

when it deals with other oppressive regimes. These foreseeable criticisms would certainly damage the United States' reputation in the short run. However, if the United States can prove that such an "inconsistent" decision has been devised for the greater outcomes in the long run, then many will recognize that Washington has made the right decision.

Considering the political costs, it seems obvious that the U.S. policy-makers would need enormous courage to nominate an ambassador to Burma. At the same time, however, the nomination of an ambassador is a necessary step to bring a peaceful political transformation in Burma. It is not too late to act. The United States needs to be more flexible with the Burmese government, and it must be brave enough to face and endure the criticisms for its decision.

Burma can be a valuable ally. It is rich with natural resources and shares borders with two rising powers, China and India. If the United States does not revamp its policy toward Burma now, it might be too late by the time the U.S. officials realize the importance of Burma. The nomination of the U.S. ambassador may not be the ultimate solution to reform Burma, but it will serve as the starting point to bring a peaceful democracy and to make Burma a close ally of the United States. Therefore, in order to accomplish such a grand scheme, the United States must nominate an ambassador to Burma.

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THE POLITICIZATION OF THE CATHOLIC CHURCH: THE CASE OF THE PHILIPPINES

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Niall O'Brien, a Catholic priest sent to the Philippines, was not disturbed when he originally encountered the horrendous living conditions of the Philippine's poor (O'Brien, 1993). He saw his work as being spiritual, more concerned with baptisms, anointing, whether the people were attending mass, saying their prayers, and being married (O'Brien, 1993). This was not an uncommon sentiment for priests to hold; the otherworldliness of religion often enabled them to put their work in another dimension than that of the living. But not for long. Ferdinand Marcos, the then president of the Philippines, soon exacerbated the already dismal state of affairs through corruption and mismanagement of the economy. Sensing discontent throughout the populace, he banned all political groups that could present a viable opposition towards him. With no other political outlet to voice discontent, people went to the Catholic Church, and the Church found the role it held in the community change from being aloof to the everyday affairs of man to being the centerpiece of the opposition to the government. To what extent was the politicization of the Catholic Church in the Philippines the result of dissatisfaction with Marcos? I argue that the Church became politicized as a result of historical changes coinciding with high levels of poverty, low quality of life, and the absence of any normal political outlet, all consequences of Marcos' policies.

Prior to 1964, Catholicism focused primarily on the spirituality of the congregation. Regardless of how abstract that concept may be, priests saw their duty as being untainted by the earthliness of the world. The Second Vatican Council of 1964 changed that, however (Mananzan, 2002). The mass and the priests' prayer book, traditionally in Latin, changed into the vernacular, and, for the first time, alters were turned towards the congregation (Mananzan, 2002). This turning towards the people became the hallmark of the Church's reforms. Additionally, the Second Vatican Council issued *Gaudium et Spes* ("Joy and Hope") and Pope John XXIII released two encyclicals, *Mater et magistra* ("Mother and Teacher") and *Pacem in terris* or "Peace on Earth" (Youngblood, 1990), which intended to highlight the plight of the poor, world peace, Catholic responsibilities, and arguments that the subjects were integral to the Church's mission (O'Brien, 1987). The work of the Second Vatican Council was continued through the Federation of Asian Bishops Conferences, demonstrating the commitment the clergy held towards reform (Youngblood, 1990).

Four pan-Asian conferences highlighted the importance of the Church as being the "voice of the voiceless," and, in 1970, Pope Paul VI emphasized the determination needed by the citizens of the Philippines to eradicate injustice and replace oppressive structures (Youngblood, 1990). In a moment of foresight, the pope also cautioned against being too revolutionary. He believed that violence should not be used as a means to rectify wrongs to human dignity and that engaging in revolutionary actions would merely create a new set of injustices (Youngblood,

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1990). In 1981, Pope John Paul II took a similar tone in advising against socio-political radicalism in the name of the gospel (Youngblood, 1990).

These warning, while heeded by some, fell on deaf ears for others. The clergy began to take ideological stances that influenced the makeup of church organizations in the Philippines. There were two major Catholic Church organizations in the country: the Association of Major Religious Superiors in the Philippines (“AMRSP”) and the Catholic Bishops Conference of the Philippines—“CBCP” (Youngblood, 1978). The AMRSP represented priests and nuns and was a younger, more social-action oriented organization that generally responded with enthusiasm to church reforms (Youngblood, 1978). The CBSP, on the other hand, represented bishops and was a more conservative organization, home to powerful members of the church hierarchy. But within the CBSP, there were three distinct divisions. The most conservative group supported the government and tended to quell criticism of the regime. The moderate group criticized specific injustices of the regime. And the most outspoken group, considered liberal, protested most aspects of the government (Youngblood, 1978).

The reform movement’s loosening of requirements initially stymied Catholic leaders. Some did not recognize the reasoning behind the reforms and the implementation of them in the Philippines (O’Brien, 1993). Fortunately, there were many Catholic leaders who saw the reforms in a different light. The aftermath of World War II, which resulted in the fulfillment of the dream of a free and sovereign republic, spread hope and determination to Filipino society (Hawes, 1990). Catholic leaders were galvanized to apply the humanitarianism for which they had fought in the war to their own country. The interests of the Church thus shifted from being purely spiritual to placing a much greater stress on social justice (Youngblood, 1990). Eventually, the Church helped unite sugar cane workers (Hawes, 1990), organized peasants in programs such as the Federation of Free Farmers, and intensified its involvement with wage earners and urban squatters (Youngblood, 1978). The establishment of Basic Christian Communities, churches that reinforced the rights of the peasants, flourished throughout the countryside and became one of the Church’s biggest assets (Steinberg, 1994). The Jesuits were the one Catholic domination that cohesively accepted the more radical, militant role of Catholicism in society and openly supported land reform and unionization, squatter’s rights, and social change (Steinberg, 1994). The Church’s involvement in the problems of the poor enabled the poor to better criticize Marcos (Youngblood, 1990).

Marcos had been elected in a calm political climate in a country that was considered to be a successful Asian democracy. Yet, a few years into his presidency, the Philippines became entangled in an economic and political crisis, which Marcos strived to resolve by authoritarian force (Mananzan, 2002). The stormy political climate reached its zenith in September of 1972, when Marcos declared martial law (Youngblood, 1990). According to the government, martial law was enacted to eliminate threat to the regime and establish peace and order as Marcos aimed to establish a “New Society” composed of social programs that would reform the country’s “social, economic, and political institutions” (Youngblood, 1990). The international business community responded favorably to the New Society, as it opened the Philippines’ markets and protected investments. Marcos answered in kind by putting foreign investment interests above that of the Philippine peasants (Youngblood, 1978). He banned strikes in “vital industries” to dispel the fears of foreign investors and to maintain the country’s foreign exchange earning industries (Youngblood, 1978). Companies such as the Philippine Packing Corporation were commonly allowed to use land that originally belonged to farmers, and Marcos forcefully evicted squatters from their homes, destroying their shanties in the name of urban beautification

(Youngblood, 1978). His economic policies were instigated for personal gain and marred by political corruption and disrespect for human life (Delotavo, 2006).

The deplorable conditions that the Marcos government had placed on the people encouraged the Catholic Church to become pro-active in fighting the government. The government's authoritarianism juxtaposed with the Church's efforts to protect human rights and led to church/state conflict and arrests of church activists immediately after the declaration of martial law (Anderson, 1969). Priests and nuns who assisted peasants were often met with opposition from the government and commonly arrested for "violations" (Youngblood, 1978). Some members of the clergy moved towards radicalism, becoming leaders of the New People's Army, the paramilitary communist guerilla group, but most found active nonviolence to be the better option (Delotavo, 2006). The active nonviolence embraced by the Church found its defining moment during the peaceful demonstrations of the People Power Revolution. After the Reformed Armed Forces Movement seized one of the military bases, the Archbishop called for "the faithful" to congregate in the camp to protect the military rebels from the government. The socio-moral responsibility of the Church was confirmed with this act (Delotavo, 2006).

At the declaration of martial law, militant organizations were rounded up and many went underground (Mananzan, 2002). The Church was the only remaining institution that had political significance, and many relied on it to oppose the Marcos government (Mananzan, 2002). Cardinal Sin, a political and social activist, wrote that "when people lose faith in their leaders, fear the military, and do not trust the courts, the only person left for them to go to with their grievances is the parish priest...and he cannot just file away their complaints like everyone else and pretend they do not exist. He has to act to do something or he too will lose hope" (Steinberg, 1994). In 1974, Sin bluntly stated that "we cannot jail a man indefinitely and still call ourselves Christian" (Youngblood, 1978). It was this sentiment of Christian responsibility to the poor that pervaded the Church's ideology and actions towards the oppressed, eventually translating into the successful overthrow of a repressive regime. The Catholic Church's first obligation was to defend and assist the peasants, not to offend the Marcos regime. But, in the Philippines, the two deeds were interconnected. The Church became politicized as a result of defending those who were adversely affected by Marcos' policies, and fortunately so, as the Church aided in the protection of many Filipinos from future government oppression and demonstrated to the country that an unjust government must not be tolerated.

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THE MIDDLE-CLASS IN SINGAPORE AND PRE-DEMOCRATIC INDONESIA: CATALYSTS FOR DEMOCRACY?

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According to the modernization theory, the probability of an autocratic regime transitioning into a democratic one is greater in more developed countries with higher per capita incomes. The theory has its roots in the works of classical social scientists such as Karl Marx and Max Weber. For the former, the economic system of capitalism itself was amenable to democracy. Laothamatas (1997), providing a summary of Marx's views, states that "capitalist development gave rise to the bourgeoisie, who, in turn, found that the pre-existing monarchical regime stood in the way of their achieving economic power." In other words, "the bourgeoisie needed capitalism, so they needed democracy" (Laothamatas, 1997).

Other, more recent, political theorists agree that the middle-class is essential to, and would be the primary agitator for, any democratic change in economically developing authoritarian regimes. Samuel Huntington, for instance, argues that "modernization and economic development produce a middle class which in turn plays a pivotal role in bringing about democracy" (cited in Laothamatas, 1997). Przeworski and Limongi (1997) find that although an authoritarian country's income levels do not make its transition to democracy more likely, the likelihood of democracies transitioning to autocracies decreases as per capita income rises. Boix and Stokes (2003) are confident that income levels play a significant role in influencing a country's political system, with higher per capita incomes making transitions to democracy more likely. Papaioannou and Siourounis (2007) test several "channels," including levels of education and openness of the economy, through which "wealth may affect the likelihood of democratization," and find that the higher a country's per capita level of education, and the greater its openness to international trade, the more likely the country is to transition to democracy if it is originally autocratic.

Singapore and Indonesia appear to be outliers that do not square neatly with most variants of the modernization hypotheses. Singapore has one of the highest per capita gross national incomes ("GNIs") in the world, a highly educated population, and a robust middle-class, and yet it continues to be an authoritarian state, having been run by the People's Action Party since its independence in 1965. Indonesia, although experiencing rapid growth under Suharto, was thought to have developed a still too-small middle class for democratization to occur (Santoso, 1997). Yet, it was one of the countries to be a late participant of the "Third-Wave" of democratization, overthrowing the Suharto regime in 1998, despite its small middle-class population and low per capita GNI (The World Bank, 2009). However, modernization theorists were quick to adopt Indonesia as a successful example of modernization theory in action, claiming that the middle-class played a decisive role in its democratization.

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Hypotheses

The common theme that runs through much of the modernization theory literature is the centrality of the middle-class in agitating for democratic change. In this essay, I compare the Indonesian middle-class with that of Singapore in order to explain this divergence. In particular, I examine how far the Indonesian and Singaporean middle-classes have contributed to their respective countries' political trajectories. I argue that, as predicted by modernization theory, it is true that in both Singapore and pre-democratic Indonesia the middle-class does and did have democratizing and liberal attitudes towards the government, but, contrary to modernization theory, these attitudes do not translate automatically into strong demands for the government to democratize. In pre-democratic Indonesia, the middle-class was small and economically dependent on the Suharto regime, and the latter's downfall only came in conjunction with a deep economic crisis. Likewise, in Singapore, the middle class is primarily concerned with its economic well-being and is pacified so long as its material concerns are fulfilled.

Indonesia's Middle Class Rising?

In 1998, Suharto, Indonesia's president for more than three decades, made an announcement that signaled the end of an era in the midst of violent protests in the streets of Jakarta: "I have decided to announce my resignation from my office as president of the Republic of Indonesia, effective from my reading of this statement" (Emmerson, 1999). This marked the end of authoritarianism in Indonesia and the ushering in of multi-party politics, the introduction of democracy in the republic. To many, this transition was but one more example validating modernization theory. Indonesia's GDP had been growing rapidly, first under Sukarno, and then during Suharto's long reign. The World Bank (1993) classified Indonesia as a "high-performing Asian economy."

Santoso (1997) asks "why has the process of democratization in Indonesia been so slow despite fast economic growth?" and notes that "among the various factors hampering the process of democratization, *the most important one is the small size and limited power of the middle class*" (emphasis mine). Heryanto (1996) likewise begins saying "Indonesia's sustained economic growth since the mid-1970s has unwittingly helped to revitalize two urban-based oppositional forces...the industrial workers and the middle-class professionals and activists [which] encounter obstacles that constrain them as movements for far-reaching social change." The implications of such observations are that economic growth should bring democratization, specifically through the demands of the Indonesian middle-class. To supporters of modernization theory, it would appear that economic growth caused a growth in the middle-class, a class that inherently has democratic attitudes, and that this class was central to the eventual fall of Suharto.

Indeed, scholars have assigned the middle-class with much of the credit for the demise of Indonesia's "New Order" under Suharto. In particular, credit was given to the university "Reformasi" students who allegedly spear-headed the protests against Suharto. Lee (2002), in his essay surveying Asian democracies in the 1990s, maintains that "the middle-class served as the backbone for the political movements" and "was the main locomotive of democratization." Bunte and Ufen (2009) write that "protesting students...supported by calls of the middle-class for reform" eventually "forced Suharto from office," although the authors also give credit to the economic crisis as a cause of democratization.

A Liberal and Effective Indonesian Middle-Class?

Contrary to the scholars sympathetic to modernization theory, I argue that the middle-class in Indonesia did not play a crucial role in the fall of Suharto, as it was not in a political position to do so, nor did it have sufficient material interest, prior to the economic crisis, to overthrow the government. My argument does not advance the position that the middle-class did not have democratizing attitudes. Rather, I propose that these attitudes were only translated into substantive action and demands when the middle-class' material interests were at stake. As such, I argue that material interests trumped democratic ones for Indonesia's middle-class.

As noted in the introduction, one of the curiosities of the Indonesian democratization was its low level of per capita GDP, which translated into a rather small middle-class. Santoso (1997) notes that in 1990, after years of rapid economic growth, the middle class in the labor force still accounted for only "3.9 per cent of professional and administrative jobs; 4.9 per cent of the clerical jobs; and 14.3 per cent of the sales jobs." Santoso adds that "these numbers are too small to represent an independent middle class." It is reasonable to think that by 1998, when regime change occurred, these statistics would not have changed dramatically, given that the increase in these numbers between the 1980 and 1990 census was not significant. Indeed, Lev (1990) writes that scholarship on Indonesia generally tended to treat the middle-class as "too minute to make a difference." If one were to look at the student population that for many was the most vocal and pro-democratic middle class group, one would find that "only about 0.6 per cent of the Indonesian population [were] students and of this group only a very small minority...[could] be labeled activists" (Uhlen, 1997). These numbers should make one suspicious of attributing to the middle-class too much credit for the fall of the New Order.

Additionally, if one were to examine the economic base of this middle-class in the 1990s, one would find it to be very closely linked to the well-being of the government apparatus. As Santoso (1997) notes before the fall of the New Order "most of the graduates from schools and universities have jobs in government offices either at the local or regional levels" and "all civil servants must be members of KORPRI...an organization set up in 1970 by the government to obtain support from civil servants for Golkar, the government-backed party, in every election." Bresnan (1993) also writes that most of the middle-class "belonged to the civil or military service" and that "in some Indonesian cities and towns, government employment provided jobs for as much as 25 per cent of the labor force..." It is clear that a significant portion of the middle-class depended economically on the Suharto regime. Furthermore, unlike what classical modernization theorists such as Marx and Weber would argue, under most of Suharto's reign his overthrow would not have been in the economic interests of the Indonesian middle-class.

Economic interests were clearly of central importance to the middle-class. Two developments against which the middle class demonstrated can illustrate this point: the 1994 bans on three newspapers and the economic reforms instituted by Suharto.

The newspaper bans were against three major weeklies, "the tabloid *DeTIK* and two news magazines, *Tempo* and *Editor*" (Heryanto, 1996). These were large publications, with *Tempo* and *DeTIK* enjoying a circulation of 200,000 and 600,000, respectively. In response to the banning of these publications, "a long and continuous series of protests across different islands of the archipelago ensued." Significantly, as noted by Heryanto (1996), "this [was] the first instance of widespread urban protests against the government by the middle classes, who are often dismissed as politically insignificant." The middle class protests "attacked the government on

moral grounds and in political terms...[which] strongly typifies much of the urban middle-class opposition in New Order Indonesia” (Heryanto, 1996).

On the face of it, this could be interpreted as evidence of middle-class action for greater democracy in the country. On further inspection, however, several curious facts are associated with the response to the newspaper bans. Heryanto (1996) writes that “although press bans have been regular incidents throughout the history of Indonesia, no ban has hit a press industry on the scale of the June 1994 measures.” Additionally, “the ban on the three publications in June 1994 was neither new nor particularly interesting in itself. More than thirty media organizations [had] been ‘banned’ under the New Order” (Heryanto, 1996). However, none of these preceding press bans had galvanized the middle-classes anywhere near this extent. The 1994 bans undoubtedly affected the economic well-being of a significant portion of the middle-class. It is thus reasonable to think that underneath the moral rhetoric of greater democratization, there lay the more fundamental motivation of protecting the middle-class’ economic interests. If the middle-class really cared so much about democracy, then why did the thirty preceding bans not evoke a similar response? In this instance, the middle-class’ economic interests were aligned with their democratizing attitudes.

The economic reforms instituted by Suharto also faced middle-class opposition. In the same year as the above-mentioned press bans, the government initiated “the most pro-market economic policy it had ever introduced,” opening “major areas of infrastructure and the public sector to management by domestic and foreign private joint ventures: ports, electricity generating and distribution, telecommunications, airlines, water, railways, and the mass media” (Heryanto, 1996). Soon after the introduction of these economic programs, “immediate opposition came not from anti-capitalist forces as such, but from business communities which have enjoyed business protection, including the press” (Heryanto, 1996). Again, the middle-class was galvanized to a significant degree, this time more explicitly in the defense of its economic interests. This particular opposition also demonstrates how far the middle-class was dependent on the Suharto regime economically. Once more, the question must be asked as to why anti-Suharto action was not taken by the middle-class with regard to other issues related to democracy.

Suharto’s Fall

The middle-class in Indonesia was both minute and economically-dependent on the Suharto regime. It harbored democratizing attitudes, but it was only visible politically in the 1990s when its economic interests were threatened. With this understanding of the Indonesian middle-class, it becomes difficult to give much weight to a democratizing middle-class as a crucial variable to the democratization of the country. It must be remembered that Suharto’s fall came in the midst of the devastating Asian financial crisis of 1997-1998, which saw the Indonesian economy shrink by 13% by 1998 (The World Bank, 2009), causing the unemployment rate to spiral upward and the Rupiah to crash, sparking massive dissatisfaction with the Suharto regime from all sectors of Indonesian society. In addition, it was around this time that Indonesia suffered from an El Niño, which caused horrific fires on the islands neighboring Java (Emmerson, 1999). The pressures for the 1998 revolution were numerous and varied, being top-down, with some in the government defecting, and bottom-up, with urban students protesting, all in response to the external hardship of the economic crisis. While the middle-class did play a role in Suharto’s resignation, the role should not be overstated.

The case of Indonesia, therefore, does not fit squarely at all with modernization theory. It was not economic growth that caused the country's democratization, but economic collapse. The middle-class, which was supposed to be the main "locomotive for democratization," was too small and economically-dependent on the survival of the Suharto regime throughout the 1990s. The middle-class did not bring about the 1998 revolution; it was merely a factor among many.

The Case of Singapore

Singapore does not fit the modernization theory but for reasons opposite that of Indonesia: it is one of the richest countries in the world, with a substantial middle-class, and is still not a full-fledged democracy. Interestingly, in several respects, Singapore's middle-class tends to be similar to the pre-democratic Indonesia's middle-class. For the most part, it has politically liberal attitudes but does not seem too concerned with making concrete demands on the government for democracy. In this section, I will examine the contours of the Singaporean middle-class' political attitudes and lack of political action.

A Politically Apathetic Singaporean Middle-Class

Several surveys taken during the past two decades shed light on the political attitudes and activities of the Singaporean middle-class. Firstly, in spite of Singapore's classification as an authoritarian regime by many political scientists, most Singaporeans from all strata of society seem to show overall satisfaction. Tan (2004) conducted a survey of 2250 Singaporeans on a wide array of issues. He divided them into several categories, one of which was class. One of the issues examined was overall life satisfaction. Interestingly, the middle class appeared to be the most satisfied of all the class categories, 15% claiming they were "very satisfied" and a significant 77% claiming they were "satisfied." Only 8% of the middle-class claimed they were "not satisfied." On the other hand, 23% of the upper class, 13% of the working class, and 34% of the lower class claimed they were "not satisfied." A majority of participants in each class category claimed they were "satisfied."

Given these figures, it seems apparent that Singapore's authoritarianism does not detrimentally affect the perceived quality of life for most Singaporeans. This survey result flies in the face of modernization theory, which predicts political dissatisfaction of the middle class as being a dynamo for democratization. Reasons for life satisfaction are more likely to be found in the material conditions of Singaporeans; with the exception of the upper class, there is a correlation of life satisfaction and class, with the middle class being the most satisfied, followed by the working class, and finally the lower class.

But one might say that political dissatisfaction can and should be disaggregated from general life satisfaction, that it is possible to be generally satisfied with one's life, but politically disaffected. To see how far the Singaporean middle-class is politically disaffected, Tan (2004) uses two measures of political participation: "Perceived participation opportunity" which "is defined as the [perceived] degree of influence which citizens *have* on national issues" and "participation propensity" which "is defined as the [perceived] degree of influence citizens *should have* on national issues." Tan uses the difference between the two to generate levels of political alienation that Singaporeans feel. Quite in line with Singaporeans' overall life satisfaction, more than 70% of the middle, working, and lower classes do not feel they are politically alienated. The upper class shows slightly lower levels of political satisfaction, with

61% saying they did not feel politically alienated. Again, similar to the scores on life satisfaction, of all the classes, the middle-class appears to be the most politically satisfied, with 76% feeling no political alienation.

With these statistics, it can reasonably be concluded that the middle-class in Singapore is politically apathetic and that the accusation commonly made by academics and the Western press is well-justified. The statistics do not reveal in greater detail the specific political attitudes that middle-class Singaporeans hold, however; they only demonstrate that whatever differences people might have with the government, the differences are insufficient to cause significant political dissatisfaction.

An earlier survey conducted by Ling et al. (1999) sought to measure the level of political participation among the Singaporean population. Using a sample of 1054 citizens and permanent residents, the researchers categorized the sample according to age and level of education. (I will consider level of education as a proxy for class, with members with a tertiary level education or higher to be of the middle-class). The results of the Ling et al (1999). survey show, unambiguously, the politically liberal attitudes that the middle-class has. The class as a whole has an overwhelming desire for greater political participation. Of the middle-class, 89.3% agreed that “apart from the vote, there should be other channels by which citizens can express their views on government policies.” Furthermore, 93.4% agreed that “every citizen, regardless of level of income or education, should have equal freedom to express [his or her] views on government policies.” Lastly, 75.4% said that they “would like the government to take more time to listen to citizens, even if quick decision is necessary.”

These numbers seem to be at odds with the Tan (2004) survey noted above, which showed a high level of political satisfaction among the middle-class. But, the second part of the Ling et al. (1999) survey, measuring levels of concrete actions taken by Singaporeans to fulfill their democratizing desires, reconciles the apparent contradictions. Of the middle-class, only 25.4% said they “would like to serve in organizations such as Town Councils...grassroots organizations, [and] Community Development Councils.” Near fifty-one percent said they “would like to serve in non-government related organization, say professional bodies, or civic organizations.” And 62.3% disagreed that “what happens in Parliament has little relevance to my daily life” (Ling *et al.*, 1999). Although the interest in parliamentary activity by the middle-class may demonstrate that the middle-class is aware and interested in the political developments in the country, tellingly, only a meager 11.5% of the middle-class had “ever made its views known to the government on any public policy” (Ling *et al.*, 1999). Additionally, “among the majority who had never expressed their views, 54% listed their reasons for not doing so as being because *they had no strong views*” (Ling *et al.*, 1999) (emphasis mine). The democratizing attitudes of middle-class Singaporeans are therefore not matched with concrete action taken to achieve greater democratization, and these actions are not taken because the middle-class does not find democracy to be very important, as having “no strong views” implies.

Ling et al. (1999), from the results they gathered, write that “previous discussions on the political culture in Singapore have suggested that Singaporeans have generally been passive in the process of governance... [but that] there have been developments that suggest that this political culture may be changing and that citizens desire greater involvement in the process of governance.” While this may be true, the responses in this more detailed survey dovetail very nicely with the more recent one. Although middle-class Singaporeans generally desire a more liberal democracy, they hardly desire it enough to take concrete steps towards achieving it, much

less making demands on the government for democratic change. These liberal attitudes are not sufficient to cause a more general dissatisfaction with the political situation in Singapore.

Causes for Political Apathy

As demonstrated by the surveys above, the Singaporean middle-class appears to be satisfied on some fundamental level that goes far deeper than the desire for democratization. The most obvious reason for this level of satisfaction is material. Singapore boasts one of the highest standards of living in the world, is one of the world's cleanest and safest countries, and its economy continues to grow at a relatively healthy rate. The government has taken frequent credit for Singapore's economic success. Although the middle-class is not economically-dependent on the government in the same way as pre-democratic Indonesian middle-class was (in the form of patronage), if the Singapore middle-class polity sees the governing People's Action Party ("PAP") as key to the country's continued success, then a perception of economic dependence on the party and/or the government does prevail. This is the view shared by Jones and Brown (1994) who write that "the Singapore government has repeatedly pointed attention to potential scenarios of political instability, economic decline, religious or ethnic conflict, and even foreign intervention. Singaporean political rhetoric is consequently pervaded by a garrison mentality, in which the alleged threats to survival promote the imperative of political solidarity." The Singapore middle-class is susceptible to this message, Jones and Brown conclude. In other words, a more democratic government may put the good life in jeopardy, a mentality which in turn causes the middle-class to continue supporting a politically authoritarian regime.

In the 1980s, however, it appeared that perhaps democratization, as predicted by modernization theory, was at last bearing fruit in Singapore. The by-election in the hotly contested Anson constituency in 1981 saw "the breaking of the PAP's absolute monopoly of parliamentary seats" and the subsequent general election in 1984 saw a further erosion of PAP support by 13 percent (Rodan, 1993). Significantly, the PAP lost the constituency of Potong Pasir to the Singapore Democratic Party. Unlike in Anson, Potong Pasir "contained a greater share of middle-class voters," with the electorate having "about 40 per cent private housing and one of the highest levels of tertiary-educated Singaporeans" (Rodan, 1993).

The government responded swiftly by opening up "avenues for greater consultation with the middle class in the policy process" (Rodan, 1993). It embarked on "the establishment of a Feedback Unit in 1985, the introduction of Government Parliamentary Committees (GPCs) in 1987 and the creation of the Institute of Policy Studies (IPS) in 1988" (Rodan, 1993). Additionally, the government introduced "a new category of parliamentary members [called] Nominated MPs (NMPs) [who] would have restricted voting rights but could speak on any Bill or motion" (Rodan, 1993). The intention of the NMP scheme was "to provide a non-partisan alternative view in parliament to satisfy the apparent persistent desire in the electorate, the highly-educated members in particular, for an opposition" (Rodan, 1993). The government also increased the number of NMPs from six to nine in 1997 (Mutalib, 2002). More recently, in 2000, the government established a Speakers' Corner at Hong Lim Park, where speeches and public debate could occur, although speaking on religious and racial issues were expressly forbidden. (To speak, a police permit was first required). These regulations were relaxed in 2008 when the government deemed that no permit was necessary and that demonstrations could also be held at the Park (Yong, 2008).

In short, throughout the years, the Singapore government has attempted to appease liberal, democratizing elements within the Singapore middle-class. Following the 1984 elections, there has been no further drop in the political support given to the PAP, with the 2001 election even boasting 75.3% of votes for the PAP (Unofficial Singapore Elections Website, 2010). There are two positions one can take with regard to the reforms. The first position is that the reforms are, in fact, a manifestation of pressure from the middle-class for the government to liberalize through the power of the vote. If this is the case, then the democratizing demands from the middle-class are indeed very limited. Freedom House (2010), which measures the levels of political rights and civil liberties a country has on a scale of one to seven—with seven being the least free—the United States has a score of “one” on both indices, while Singapore in 2009 had a political rights score of five and civil rights score of four. Freedom House (2010) also measures the level of press freedom within a country, with a score of zero to 30 indicating a fully free press, 31 to 60 a partly free press, and 60 to 100 an unfree media. The United States scored 17, while Singapore scored an unfree 69.

The second, more compelling position is that the 1984 election was a fluke, and that the Singaporean middle-class simply is not all that concerned with having a voice in politics. When the NMP scheme was initially implemented, Chua (1995) notes that the constitutional change “drew little interest,” as the polity was far more concerned with the debates over “prohibitively high taxes” of car ownership, an important issue for the middle-class since owning a car was “one of the trappings of middle-class life.” The materialistic priority over democratic reform demonstrated by the Singaporean middle-class is evident. Why is it that, with new channels of communication between the government and people having opened in the past two decades only 11.5% of the middle class has “ever made its views known to the government?” Why is it that the Speakers’ Corner, which was recently even more liberalized by the government, sees less than a dozen spectators present on a given day? In *The History of Singapore* (2008) Goh Chok Tong, Singapore’s former Prime Minister explains that “to me [the Speakers’ Corner] is very successful, because very few people go there to speak.”

Conclusion

Both Indonesia’s pre-democratic middle-class and that of Singapore are similar in that while both harbor liberal, democratizing attitudes, they place a high priority on their economic interests first and foremost. In the case of Indonesia, the middle-class was economically-dependent on the Suharto regime and was in any case too small to be the catalyst for democratic change. The times the middle-class galvanized most strongly against the Suharto regime was when its economic interests had been threatened by the government. In the case of Singapore, the middle-class demonstrates that it, too, has, for the most part, a liberal, democratizing attitude. However, Singapore’s authoritarianism does not seem to cause much dissatisfaction for citizens. It is likely that this is because the regime has provided for the middle-class’ economic interests by ensuring continuous economic growth for the nation. The middle-classes of these countries run counter to the predictions made by scholars of modernization theory. But perhaps modernization theory has asked too much of the middle-class, and that it is the middle-class that has an overwhelming demand for democratization which needs explanation.

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A PARCHED ECONOMY: AN ANALYSIS OF WATER SCARCITY IN BANGLADESH

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Ancient cultures vied for premier peninsulas and inlets incessantly, realizing that life was determined not by the sword but by the water pail. Today, the bottled water industry in the United States accrues annual revenues of approximately \$11 billion, showing just how high humanity's demand for water has risen (BMC Market Reports, 2010). It is this time-tested significance that makes water scarcity such a serious issue in the contemporary development of nations. As the Food and Agriculture Organization of the United Nations (2010) has noted, water scarcity is a result of a mixture of "imbalances between availability and demand, the degradation of groundwater and surface water quality, intersectoral competition, and interregional and international conflicts."

Bangladesh is an ideal example of water scarcity's hindering effects on modern-day development. The country's struggle results primarily from a collection of land right disputes and political conflicts focused on the area known as the Ganges River Delta, a vast mixture of fertile plains and Sundarbans, or tropical mangrove forests (Mirza, 2004). Possibly more horrific than the crisis itself, however, is the realization that, although the potential for solutions exists, the likelihood of successful implementation is very limited, primarily as a result of geographical disputes between Bangladesh and its neighbors.

Bangladesh is located adjacent to the eastern border of India and is its own sovereign nation, having gained independence from then British India in 1947 as a portion of Pakistan on the basis of religious divisions within the two countries (Central Intelligence Agency [CIA], 2010). The country was then known as East Pakistan. The region eventually seceded and became what is now considered Bangladesh proper. Within Bangladesh's colonially drawn borders lies the lush Ganges River Delta. The Ganges River is, arguably, one of the most important sources of water for the citizens of Bangladesh. The Ganges has its source in the highlands of the Nepalese Himalayas, and must, therefore, progress through India before reaching Bangladesh. This factor is highly important in understanding both the roots of the Bangladeshi Ganges's water scarcity problem as well as possible remedies to the crisis.

In the mid-to-late 1960s, India constructed a barrage of dams at the city of Farakka, which resides only 11 miles north of the Bangladeshi border (Gleick, 1993). These dams diverted the normal flow of the Ganges away from Bangladesh. Arguing the necessity of the Ganges's water during the dry season for the support of human and ecological life, the government of Bangladesh took the matter before the United Nations General Assembly in 1968 (Gleick, 1993). The debate focused on the inherent land rights of the two countries and the differing perspectives

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held by each party. Possibly the only commonality between the arguments was that both the Indians and Bangladeshis hold the Ganges as sacred and essential to the perpetuation of local life. In terms of land rights, the Indian government argued that because 90% of “the length of the main channel of the Ganges flowed through India and...94% of the population in the Ganges basin lived in India...and 99% of the catchment area of the Ganges and 91.5% of its entire irrigation potential lay within the territory of India,” the Ganges should not be considered an international river (Lammers, 1984). Eventually, however, in 1977, India agreed with Bangladesh on the internationality of the waterway and decided to unblock the river at least during the crucial dry season.

However, when the water supply was resuscitated, the flow of the Ganges was still not as significant as it had been in the past, leading some scholars to speculate that global warming may be diminishing the waters faster than human consumption. With much of its water supply coming from the Ganges, it is understandable that a dramatic reduction in supply could, and indeed did, negatively effect the economic development of Bangladesh. From 1990 to 2009, Bangladesh’s GDP averaged about a percent increase per year (International Monetary Fund, 2009). This is truly revealing only when juxtaposed with India’s average GDP increase per year of almost five percent over the same period of time. Although, admittedly, not the only factor explaining the GDP disparity, water must play a role, especially since it is one of the main elements in the production of rice, Bangladesh’s main export crop (CIA, 2010). With over 45% of all Bangladeshis being employed in the agricultural industry, the effects of water scarcity on the production of rice has repeatedly harmed the country’s per capita GDP (CIA, 2010). This inconsistency in productivity from year to year has directly contributed to the incredibly high proportion of impoverished citizens, with approximately one in every three Bangladeshi living below the poverty line. Bangladesh will not be able to develop in a timely manner if a solution to either the water scarcity dilemma, or the country’s primary commodity export dependency, is not found and implemented immediately.

Geopolitically, the only solution that would provide immediate and substantial aid to the region would be the complete end of conflict between India and Bangladesh. It should be noted that the dispute over the internationality of the Ganges was not the first instance in which India and Bangladesh encountered strife. The two countries have had a rocky relationship from the initial 1947 separation, occurring as a result of religious tensions between India’s predominately Hindu population and the overwhelmingly Islamic population of Bangladesh (CIA, 2010). In addition to religious clashes, Bangladesh and India have continuing conflicts over a collection of exclaves residing within both countries. External efforts to resolve the problems are being made, but excessive bureaucratic red tape persists. Ultimately, no outside intervention will have a long-term effect on the problem at present. If Bangladesh and India could set aside their differences on their own, Bangladesh may stand a chance in toppling the problem of water scarcity. With postulations of such foes as global warming, unity of purpose is mandatory.

The possible ecological solutions are secondary in importance to the political issue between India and Bangladesh. Nonetheless, out of the potential ecological solutions, the most effective would be the limitation and appropriation of the Ganges’ water from its source to terminus. This solutions would be incredibly difficult to implement, however, due to the inherent difficulties in trying to regulate the consumption and utilization of a 1,500-mile long river, which runs through three separate, equally sovereign nations. Other proposals have included managing the excess population at the Himalayan roots of the river to resolve the problem (Ives & Messerli, 1989). The sadly ironic side to all proposed ideas, however, is that, in particularly bad

monsoon seasons, the majority of Bangladesh's territory floods with the overflow of the Ganges, which also greatly hinders development within the country. A solution to the dry season dilemma of water scarcity would only be the first step in aiding the development of Bangladesh.

Thus, Bangladesh is faced with a striking problem: the very item that is needed for development during the dry season is the same commodity that halts all progress during the wet season. Not only does Bangladesh require limitation and appropriation of the Ganges to battle the effects of water scarcity, it also requires the building of adequate levees and other water collection and drainage infrastructures. Without collective regional involvement and agreement, Bangladesh's development will continue to be slowed, and its citizens impoverished, as a result of the extreme fluctuation in the availability of water.

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