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INTRODUCTION

The 2018-2019 school year marks nine years since Clocks and Clouds was founded. Since the journal's inception, it has continued to spark an interest in undergraduate research at American University, and encourage students to pursue their research passions beyond the classroom and after the final due date for their papers. The most rewarding aspect of serving in our roles in this journal has been to witness students' dedication and hard work as they grapple with the important and timely issues they tackle in their research.

Clocks and Clouds strives to provide an avenue for students to further their research in the fields of political science and international relations utilizing the stellar resources on campus including input from faculty and peers. We are proud of how the journal has grown throughout the past nine years, and this past year we have seen a large number of exceptional submissions. With a staff of over 30 students, we are excited to debut this year's edition of the journal featuring eight outstanding pieces of student research that cover a diverse range of topics. This year's research takes us everywhere - from a study of Washington D.C.'s 11th Street Park to analyzing democratic movements in India and Burma to understanding sectarian violence and identity in Egypt to engaging in women's inclusion in the Northern Ireland peace process and many more engaging and diverse methodologies and discussions.

The journal publication would not have been possible without the guidance from the administrators and faculty in the School of Public Affairs and the School of International Service who have continued to foster strong undergraduate research programs and opportunities for students.

Clocks and Clouds is driven on the idea that undergraduate students have a valuable voice to bring to the table, and an opportunity to spark important conversations on meaningful topics. Congratulations to our published authors in this year's edition of the journal, and join us in celebrating the robust undergraduate research community at American University.

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BRINGING WOMEN TO THE TABLE: WOMEN'S INCLUSION IN THE NORTHERN IRELAND PEACE PROCESS

Julia White

Abstract

In the past century, conflict resolution has increasingly shifted towards negotiated agreements. The field of inclusive security claims to improve the durability of agreements, however, women in particular are typically excluded from negotiations. There is significant research documenting the positive influence of the inclusion of civil society on agreement durability, and there is a substantial body of literature theorizing that women's inclusion in peace negotiations contributes to the durability of the agreement. However, because of the extreme rarity of cases of women's inclusion, there is little documentation of this theory in practice. My research seeks to explore and demonstrate the effect of women's inclusion on the durability of two rounds of negotiations of the Northern Ireland Troubles: the 1973 Sunningdale Communiqué and the 1998 Belfast Good Friday Agreement. I use structured, focused case comparison (SFCC) to conduct a within-case study with an aim for providing empirical evidence for the inclusion of women, in connection with other forms of inclusion, disarmament, demobilization, and reintegration (DDR), and international mediation. The further assessment of women's inclusion in the negotiations could support the inclusion of women in future peace processes and highlight some of the obstacles women face in getting to the table.

Introduction

The 20th century observed a shift towards peace processes and negotiations as the primary methods of international conflict resolution (Ghais 2016, 3). However, this trend was not accompanied by a rise in the inclusion of

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women in peacebuilding, which is problematic both for women's rights and for the durability of peace agreements (Duncanson 2016, 2). I proposed to research the role of women in conflict resolution to discover whether and how women can influence the durability of peace processes, with the ultimate goal of better understanding how to reduce global conflict, foster durable peacemaking, and build gender equity in conflict resolution.

The standard measure for the durability of a peace process is five years, but nearly 40% of peace processes resume conflict before that marker passes (Dayton and Kriesberg 2009, 1). Durability is more complicated than just the amount of time an agreement holds—it has more to do with how well it was implemented, how strong the institutions of the region experiencing conflict become, and the process of creating the agreement. While I analyzed many of the factors that contribute to durability, I chose to focus on the inclusion of women, because, despite the international push to increase the participation of women in peace processes, there are still very few women at the table.

The importance of women's inclusion in peace processes was first recognized in 2000 when the United Nations Security Council passed Resolution 1325, which addressed the unique role that women play in peace and security as both victims of conflict and agents of peace processes (Tryggestad 2009, 540). Resolution 1325 particularly stressed "the importance of [women's] equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution," marking the first time the United Nations (and therefore the global community) acknowledged the complexity of the female experience of global conflict (UNSC Resolution 1325). Women's inclusion is only one piece of the puzzle, and this study develops a fuller picture of the factors of durability. Therefore, my research question is "how does the participation of women in peace processes influence their durability?"

My project rests on two major normative assumptions: first, that peace processes are the preferred way of ending conflict, and second, that ending violent conflict is itself desirable. Peace accords are often shaky and uncertain, and, according to some scholars, "can systematically prevent the transformation of war into peace" by institutionalizing the conflict into societal structures (Luttwak 1999). However, I believe instead that working towards positive peace is a crucial aspect of ensuring human rights. It is possible that by focusing on women's inclusion in peace processes, I neglected different forces in international politics that disregard human rights as appropriate policy goals. However, I accepted these assumptions for the duration of this



research project.

Additionally, this raises the question of my own interest in the subject of women's inclusion. My motivations for researching this topic are somewhat activist in nature—I hope that my research can be useful in improving the durability of peace processes, and contribute to feminist research in international relations. In light of that, I chose a neo-positivist approach for my project to have some amount of generalizability. However, it is very difficult to find instances of women's inclusion, so the topic does not lend itself to large-*n* statistical analysis. For all of those reasons, I settled on small-*n* case study analysis, and then ultimately on structured, focused case comparison (SFCC), which seeks to make fewer cases more generalizable while developing a deeply contextual understanding (George and Bennet 2004, 67).

One of the primary difficulties with studying women in peace and security is the lack of cases— even processes that are inclusive rarely consist of more than 25% women, and that refers to the entire process, not just the negotiations themselves (Beteta et. al. 2010, 4). Consequently, it is very difficult to find cases of high or even mediocre inclusion of women. However, the Northern Ireland conflict—commonly known as the Troubles—had several attempts at peace agreements, and one of them, the Good Friday Agreement, is notable for its inclusion of women. It is also remarkably durable, lasting without the presence of a peacekeeping operation and remaining relatively stable (Peace Accords Matrix). I chose one other agreement within the Troubles, the Sunningdale Communiqué, as both agreements were based on a consociational model of a power-sharing government (Ibid). By choosing two agreements within the same overall conflict I was able to mitigate the possible impact from particular historical and social contexts. I gained leverage over my question by isolating the various factors that contributed to their success or failure.

To give a brief overview of the conflict itself, its roots lie in the colonization of Ireland by the British, ending with the Anglo-Irish Treaty of 1921 that established the Republic of Ireland (McCartney 1999, 12). Northern Ireland was separated from the Republic of Ireland and allowed to establish its own devolved (and primarily Protestant) government until the Troubles began in 1968, at which point the British government ruled the region directly until the Good Friday Agreement of 1998 (Ibid, 15). The conflict was essentially over the constitutional status of Northern Ireland, with one side, which is generally Catholic, pushing for a united island of Ireland, and the other side, which is generally Protestant, pushing for continued inclusion in the United Kingdom (Ibid). While the conflict was more focused on national identity than religion,

and using the terms "Catholic" and "Protestant" does not encapsulate the complex perspectives on each side of the conflict, for the sake of simplicity I use "Catholic" to describe those in Northern Ireland who wish to join the Republic of Ireland and "Protestant" to describe those who wish to remain in the United Kingdom (Ibid, 13).

The rest of this paper includes a more in-depth review of the literature, covering several competing schools of thought that contribute to durability. I discuss the theories of disarmament, demobilization, and reintegration (DDR), international mediation, and inclusive security. I provide a deeper explanation of my methodology, SFCC, and a justification for my case selection. Finally, I explore my findings and their implications.

Disarmament, Demobilization, and Reintegration, International Mediation, and Inclusive Security: Reviewing the Literature

There are several explanations for the durability of peace processes, but the most important schools of thought I identified advocate for the use of DDR programs, international mediation, and inclusive security, which breaks down into the inclusion of armed groups, civil society, and women respectively. All three of these schools of thought are generally considered individually as explanations for the durability of an agreement, but I argue instead that all three contribute in varying degrees of influence. Moreover, while I address the role of gender in negotiation tactics, I do not discuss the origins of gender, as that is outside the scope of this project. I do not make the argument that women are inherently more peaceful than men. Instead I focus on the different experiences and perspectives women bring to the table as the result of their typically assigned societal gender roles, so as to avoid essentializing women's experience of conflict and potential contributions to conflict resolution as that of a victim or as an agent of peace. In this literature review I discuss the schools of thought in the order of the significance of their contribution to durability.

Disarmament, Demobilization, and Reintegration

At its most basic, DDR is intended to reduce the violent aspects of conflict and foster trust between warring parties, increasing the likelihood of success for the peace process. As Ollek describes it, the disarmament aspect of DDR seeks to remove the vehicles of violence, such as small arms, ammunitions, and explosives, with the ultimate goal of rebuilding trust in conflict-torn societies (Olek 2007, 9). Demobilization—"the formal and controlled discharge of active combatants"— is particularly integral to



durability because the continued presence of troops strains the peacemaking process by degrading the fragile trust of the other parties in the conflict that a ceasefire will hold (Ibid). Finally, reintegration, which is the transition from combatant to civilian status, is, according to Spear, the part of DDR that contributes the most to durability, as it reduces the likelihood that individuals will resume violence by reintegrating them into society with services such as job placement or short-term skills training (176).

There is some debate within the field over the effectiveness of DDR. Anderlini argues that frequently, DDR programs are limited to disarmament and demobilization, “with an assumption that the ‘R’ will happen one way or another” (97). The neglect of reintegration undermines the effectiveness of the disarmament and demobilization aspects, and Anderlini further suggests that the reintegration step come first rather than last (Ibid 109). Ex-combatants are much more willing to give up their arms—often their only sense of security—when they feel safer about their place in society. However, DDR is ultimately a small piece of the puzzle and, despite its issues, serves to encourage trust in non-violent means of conflict resolution by reducing violent action. More significant in the actual negotiating process is the role of international mediation.

International Mediation

The end of the Cold War led to a new era of international interventionism, both in terms of military action and conflict mediation (Macqueen 2016, 599). Many scholars, such as Fisher and Ury, argue that mediation of conflicts is helpful for their resolution because it facilitates communication between actors that otherwise have difficulty cooperating during negotiations (Barash 2010, 72). Furthermore, an international mediator is more likely to be objective and neutral, and therefore easier for the parties involved in the conflict to trust, than someone from within the conflict (Ibid). There is debate over whether outside mediators have enough familiarity with the culture and history tied to the conflict, or whether they use the mediation to press their own agendas (Doyle 2015, 29). This ties in to a larger debate over the validity of international interventionism, particularly by the U.S., which tends to act unilaterally.

In the Northern Ireland case, the U.S. role in the conflict came about because of the Northern Ireland diaspora (Thompson 2014, 295). Decades of lobbying by both Catholic and Protestant members of the diaspora pushed President Clinton to appoint Senator George Mitchell as an economic advisor to Northern Ireland, which ultimately led to his mediation of the Good

Friday Agreement (Ibid). As Mitchell's role was accepted by the majority of the political parties and the British and Irish governments, and he was joined by a Canadian (John de Chastelain) and a Finn (Harri Holkeri), it can be characterized as international mediation rather than a potentially problematic U.S. intervention (Mitchell 1999, 27).

The final argument for international mediation rests on the concept of ripeness, which is loosely defined as a mutual vulnerability felt by the parties involved in the conflict—in other words, mediation will fail unless the parties acknowledge that negotiation is the only way to prevent further violence (Hancock 2001, 195). Otherwise, there is no incentive for parties to abide by whatever agreement results from the process. Ripeness is a situation the mediator has to cultivate. According to Zartman and Touval, the mediator must convince all sides that their particular perspective and policy goal "is a more expensive, less likely way of achieving an acceptable outcome than the policy of negotiation" (Zartman and Touval 1996, 453). Conflicts that otherwise would end only with the complete annihilation of one or more of the parties have the potential to be ended earlier only with the assistance of a mediator. However, who is at the table besides the mediator also matters for the durability of the agreement.

Inclusive Security

Inclusive security builds trust in the actual negotiation process by allowing interested parties, beyond those in direct conflict, to negotiate the ultimate agreement (Ghais 2016, 5). According to its advocates, inclusive peace processes are correlated with more durable peace agreements (Ibid, 6). Inclusive negotiations address the underlying issues of conflict better than the more traditional type of conflict resolution, which involves only the warring parties (Ibid).

Critics of inclusive security argue that it has too many complications; one of these complications is the difficulty of convincing the warring parties to include others (Paffenholz 2014, 72). Furthermore, scholars posit that inclusivity lengthens the process, and that longer negotiations attempt to cover too many issues (Ghais 2016, 9). Ghais argues that longer peace processes are a necessary, if unfortunate, byproduct of creating durable settlements (9). Finally, an important argument for inclusive security is how it addresses spoilers, defined by Wanis-St. John as "parties who can challenge each side in the dispute and may have an interest in maintaining the conflict's status quo" (Wanis-St. John 2006, 127). Spoilers disrupt peace processes because they are not satisfied with the efforts for making peace. Including more parties in the



negotiations, as a general principle, disincentivizes spoiling because (typically) marginalized parties have an increased ability to influence the agreement.

There are three separate categories of inclusivity: the inclusion of armed groups, of civil society, and of women. The primary argument for the inclusion of armed groups is that it reduces the chances of warring parties taking to the streets to protest the negotiations (a form of spoiling). The arguments against focus on the danger of bringing in violent fringe groups that only want to cause trouble (Wanis-St. John 2006, 14-29). Generally, inclusion limits the ability of armed groups to justify violations of international humanitarian law, smoothing out the peace process (Rondeau 2011, 654). Some scholars found that the inclusion of armed groups contributed greatly to the durability of the agreement, but only when the armed groups experienced substantial public support (Ghais 2016, 291). Therefore, the consensus in the literature is that inclusion should be limited to only the most influential armed groups, rather than all of those involved in a particular conflict.

The majority of the inclusive security literature deals with civil society, defined by Wanis-St. John and Kew as “the vast array of public-oriented associations that are not formal parts of the governing institutions of the state” (15). Wanis-St. John and Kew argue that the inclusion of the civil society in peace processes strengthens the process of rebuilding institutions in regions affected by the conflict (13). In their study of 23 separate peace processes, they found a strong correlation between the inclusion of civil society in the negotiations and an outcome of sustained peace (Ibid 27). Ghais also found that inclusion of civil society helps to produce more sustainable peace agreements, reasoning that civil society inclusion helps to “promote issues of public concern” (303). Ultimately, the subtopic of civil society can inform the role that women fill in conflict resolution, because of the similarities with how the conflict resolution literature deals with women and civil society.

Hunt and Posa make the theoretical case for the benefits of women’s inclusion in negotiations. They claim that because of women’s typical societal position as family nurturers, “women know their communities [and] they can predict the acceptance of peace initiatives” (Hunt and Posa 2001, 41). Duncanson concurs, noting that women primarily assume the responsibility for maintaining households, families, and communities (23). As most conflicts resume because of seemingly minor, local issues that typically aren’t addressed by peace agreements, women’s deeply personal knowledge of local needs is extremely important for creating durable agreements (Dayton and Kriesberg 2009, 45). Furthermore, Hunt and Posa argue, because women are not usually involved in the actual fighting, they tend to have a greater psychological

distance from the conflict than the negotiators representing armed groups, making them more equipped to build lasting agreements (41). However, despite the clear potential benefits of including women, there has been little progress in actually increasing the number of women at the negotiating table (Ibid, 46). Hunt and Posa explain some of these obstacles, particularly that "waging war is still thought of as a 'man's job'" (46). Consequently, the simple concept of women's inclusion is disruptive to the traditional norms of war and peacemaking. Furthermore, there is fear among many military leaders involved in peacemaking that women "will compromise too much" and should therefore be excluded (Ibid).

While there is remarkably little research on the inclusion of women at the negotiation table for peace agreements, Kennedy and Kray, in their research on studies conducted on women in business negotiations, identified many of the ways in which women excel in negotiations in comparison to men: women tend to feel connected to the other people at the table, rather than viewing them competitively, making their approach more collaborative (2015, 14). While cooperation is not always the most successful tactic in negotiations with a monetary goal, it is important in maintaining peace talks that can dissolve easily (Dayton and Kriesberg 2009, 3). Because women often make up the segment of society that works to "maintain elements of peace and normalcy in their homes and communities in the midst of raging war," they arguably have more to offer to peace processes than military or political leaders who benefit from sectarianism and are more likely to spoil the negotiations (Anderlini 2007, 12).

Methodology

The Northern Ireland conflict is an appropriate case because of the relatively high inclusion of women in the negotiations for the Good Friday Agreement. My other case is an earlier attempt at peace in Northern Ireland, the Sunningdale Communiqué of 1973, which fell apart in 1974 (Rose 1998, 139). The two cases have different outcomes, but similar parameters, as they are essentially two different processes attempting to solve the same conflict. To give my project high internal validity, I used Mill's Method of Difference, in which instances of a case have extensive commonality: for this project, the underlying conflict (Van Evera 1999, 57). The study intended to unpack the different contribution of each variable to the durability of each agreement. Therefore, the presence of a variable indicated a positive correlation with durability, but not the direct causality of the dependent variable.



Data Analysis and Justification

I used the method of structured, focused case comparison (SFCC) as I intended for my project to be as generalizable as possible for a small-n case study (George and Bennet 2004, 67). The SFCC method is most effective with multi-case case studies, as it develops a set of general questions that are applied to each case, rather like large-n statistical or survey analysis (Bennet 2008, 500). Furthermore, SFCC tests for the presence/absence of variables, but unlike large-n analysis, it allows for a more in-depth explanation. Following the feminist tradition of international relations research, which aims to create substantive progress in addressing the world's problems, I used SFCC to make my research more applicable to increasing women's inclusion in peace processes (Tickner 2018). For my operationalization, I asked a series of questions that both accounted for the presence or absence of each variable, and further developed the influence of each variable in the durability of the agreements.¹

My dependent variable is, most simply, the durability of peace agreements. While the length an agreement lasts is important, the degree of implementation is also a useful indicator. This includes the extent to which provisions in the agreement function in actuality, and how much of the agreement is practiced. An agreement that is not durable, for example, would be disregarded by the majority of parties it concerns, and would do little to mitigate violent conflict. A highly durable agreement would not only prevent the resumption of violence, it would become the basis for political stability post-conflict. Additionally, I borrow from the feminist explanation of durability. According to Duncanson, in order to have "genuine peace, individuals and communities must be empowered to realize their own security" (59). In other words, an agreement is not truly durable unless everyone in a society is able to enjoy its promises. However, the feminist approach also views peace as a process, and it is therefore enough to say an agreement is durable if the continued adherence to the agreement is based on inclusion (Ibid).

My central variable is the inclusion of women in the peace process, and my main indicator is the inclusion of women as negotiators (Beteta et. al. 2010, 4). While women's roles in peace processes are generally more grassroots oriented—both because they are rarely included in negotiations and because they are generally more concerned with local issues—I specifically focused on women's inclusion in negotiations to provide empirical evidence for the international call to include more women in peace processes. I asked

¹ See Appendix A.

questions pertaining to how women got to the table (if they got there), the difficulties they faced in the negotiations, and the contributions they made that disincentivized spoiling and/or fostered durability.

My intervening variables are the inclusion of civil society, the inclusion of armed groups, the use of DDR programs, and international mediation.² For civil society and armed groups, I asked whether or not civil society groups or paramilitaries were included in the formal negotiations, the extent to which they consulted in the process, and how their inclusion (or lack thereof) prevented or encouraged spoilers. For DDR, I asked whether or not they were included in the agreement or instituted prior to the negotiations. If they were used, I also investigated the extent to which they were implemented. Finally, for international mediation, I asked whether the negotiations were mediated, and the extent to which mediation was necessary for the negotiations to continue.

My sources were the agreements themselves, personal accounts of the peace processes, and scholarly works detailing the role of each independent and intervening variable. The scale I used was essentially the extent to which I could answer each question. In other words, if there was no evidence of a variable, I categorized it as absent. If there was some evidence, I analyzed whether or not the evidence was significant relative to the variable's corresponding school of thought. For example, any inclusion of women is significant because women are so rarely included, while a DDR program is only significant if it worked, because a dysfunctional DDR program cannot contribute to durability. If the evidence was significant, I categorized it as present. If it was still not significant, I categorized it as absent.

I tested the claim that women's inclusion is a necessary factor in durability, but I also recognize that it is not the only explanation for durability. Therefore, my hypotheses are as follows:

H1: In an analysis of peace processes, some combination of inclusion (either of women, armed groups, or civil society) in the peace process, along with some combination of the utilization of DDR programs and international support, is positively correlated with higher durability of peace processes.

H2: In an analysis of peace processes, the inclusion of women is positively correlated with higher durability of peace processes.

There are many factors that influence the success of negotiations, which is why I included intervening variables other than women's inclusion.

² See Appendix.

I also anticipated that during the research process I might uncover other important factors, possibly that related to both cases. While other factors I uncovered (addressed in the section on alternate explanations) had the potential to complicate my findings, the SFCC method is designed to illuminate only specific aspects; by knowing what questions to ask, the research process is able to uncover new information without compromising the validity of the project (Bennet 2008, 500). Comparing the Good Friday Agreement with the Sunningdale Communiqué allowed me to isolate the most significant variables (determined by the literature on durability), and especially to test the claim that women’s inclusion correlates with higher durability. Furthermore, my project was falsifiable. By identifying several other contributions to durability, my analysis had the potential to demonstrate that the inclusion of women is not necessary for durability, but that some combination of the other factors is essential. Finally, my research was reliable in that I used peer-reviewed journal articles and primary sources.

Analysis

I analyzed two cases, the Sunningdale Communiqué and the Good Friday Agreement, for their durability, the inclusion in their negotiations of women, civil society, and armed groups, the utilization of DDR programs, and for the influence of international mediators.

| Table 1: Presence and Absence of Variables | | |
|--------------------------------------------|------------------------|---------------------------|
| Variable | Sunningdale Communiqué | The Good Friday Agreement |
| DV: Durability | Not durable | Durable |
| IV: Inclusion of Women | Absent | Present |
| IntV: Inclusion of Civil Society | Absent | Absent* |
| IntV: Inclusion of Armed Groups | Absent | Absent* |
| IntV: Use of DDR | Absent | Present |
| IntV: International Mediation | Absent | Present |

My primary hypothesis—that some combination of inclusion (either of women, armed groups, or civil society) in the peace process, along with some combination of the use of DDR programs and international support, is positively correlated with higher durability of peace processes—was supported by my data. Stated simply, the Sunningdale Communiqué, which did not

have the presence of any of my independent or intervening variables, was not durable. The Good Friday Agreement, by contrast, was durable, was negotiated with the inclusion of women, included provisions for DDR programs, and was heavily supported by an international mediator. Furthermore, while paramilitary groups were not allowed in the negotiations, more parties with ties to paramilitary groups were included than in all previous attempts at negotiation, and therefore arguably had indirect inclusion in the negotiations. Additionally, while civil society groups were not included in the negotiations, the agreement provided for the establishment of a Civic Forum for civil society to "act as a consultative mechanism on social, economic, and cultural issues" in the political process (Farrington 2008, 121). My secondary hypothesis, that women's inclusion in particular increases the durability of peace agreements, was not supported by the data, but also not falsified; although the Sunningdale Communiqué did not include women and was not durable, and the Good Friday Agreement did include women and was durable, the inclusion of women was not the most significant factor in its durability.

I begin my discussion with why the Sunningdale Communiqué fell apart after only a brief six months (December 1973 to May 1974), and then turn to why the Good Friday Agreement was able to last for 18 years with only one minor interruption (which was resolved by a return to the negotiation table) (Dorr 2017, 370; Peace Accords Matrix). The Sunningdale Communiqué was the agreement that came out of initial meetings between the British and Irish governments, and three Northern Irish political parties: the Protestant Ulster Unionist Party (UUP), the Alliance Party, and the Catholic Social Democratic Labour Party (SDLP) (Dorr 2017, 301). I characterized it as not durable because it lasted only a very short time, it never became a full agreement, and its provisions did not function well in actuality.

The Sunningdale Communiqué was an attempt at a consociational power-sharing government, along with a cross-border body between the North and South of Ireland (Gordon 1998, 100). It ended when the Ulster Workers' Council (UWC) led a general strike that pressured the power-sharing government (called the Northern Ireland Assembly) set up by the agreement into collapsing (Dorr 2017, 370). The UWC, essentially a civil society organization, acted as a spoiler to the experimental government. While I did not find direct evidence for this, the literature on inclusive security would say that their exclusion from the formal process was a motivating factor for the UWC in spoiling the agreement. In this case, it was the exclusion of civil society, not of women, that decreased the durability of the agreement. Otherwise, the Sunningdale Communiqué was essentially a stepping stone for the Good



Friday Agreement to build off of and learn from. As none of the variables were present under the Sunningdale Communiqué, I conducted a deeper analysis on the Good Friday Agreement.

The Good Friday Agreement was signed on April 10, 1998 after nearly 25 more years of violent conflict, and established a consociational, power-sharing, devolved government (from Britain)—that, unlike the one established by the Sunningdale Communiqué, has lasted for 18 years with one setback from 2002 to 2006—as well as an agreement between the British and Irish governments (Peace Accords Matrix). It consisted of a Forum of all the parties, and three different “strands” of negotiations: Strand 1 dealt with internal Northern Irish issues, Strand 2 with British-Irish relations, and Strand 3 with north-south relations (Mitchell 1999, 62). Entry into the Forum was limited to political parties, and was determined by a general election (Ibid). Notably, the Northern Ireland Women’s Coalition (NIWC) gained entry into the negotiations by winning 1% of the vote and earned two seats (out of about 110, or 1 out of 8 parties, the total number of which varied because a couple of parties left/reentered the talks), held by Catholic Monica McWilliams and Protestant Pearl Sagar (McCartney 2004, 44). Like the Sunningdale agreement, the negotiations were limited to the political elite, excluding civil society. However, because of the inclusion of the NIWC, there was less of an incentive for civil society groups to act as spoilers, as happened during the Sunningdale process. The NIWC proposed the Civic Forum, which created a space for civil society to consult and participate in the political process after the negotiations (Farrington 2008, 121).

Moreover, the Good Friday Agreement was arguably more durable because it was more inclusive overall; parties with direct ties to paramilitary organizations, such as the Catholic Sinn Féin, were allowed to participate. As a side note, Sinn Féin always denied its relationship with the IRA, but only individuals within Northern Ireland and the Northern Ireland Diaspora in the U.S. believed their claim (Mitchell 1999, 25). The inclusion of both Catholic and Protestant parties associated with paramilitaries potentially reduced the incentives for paramilitary organizations to resort to violence and upset the talks.

Furthermore, the Good Friday Agreement arguably succeeded because of two different types of DDR. The first was disarmament of the paramilitaries, a process overseen by Mitchell’s Independent International Commission on Decommissioning (McCartney 2004, 35). The second was the demobilization of British troops, which were reduced to a non-conflict level in 2007 (Peace Accords Matrix). Interestingly, as Anderlini claimed happens frequently,

there was little evidence for the reintegration step of DDR. Consequently, I argue that DDR, while allowing the agreement to be implemented with more certainty, was not the most significant factor.

Finally, American Senator George Mitchell, along with Canadian John de Chastelain and Finn Harri Holkieri, acted as objective and neutral mediators (Mitchell 1999, 29). Their inclusion in the process came about in a lengthy and complex way, but they were accepted by nearly all the major parties, which is sufficient to establish their legitimacy (Ibid). Acceptance of a mediator by the negotiating parties implies the parties' trust in the ability of the mediator to act objectively. This mediation facilitated communication between the parties, allowing the talks to continue when the process became tense (Ibid). It provides a direct contrast to the Sunningdale process, which did not have international mediators, and which never made it past initial talks (the final agreement, called the Sunningdale Communiqué, was meant to be the first of many talks). The international mediation was ultimately the most significant factor, as, according to Mitchell's account of the peace process, the negotiations almost failed, particularly while they approached the end—it was the hard deadline of Good Friday that brought about the agreement (Ibid, 182). Without the mediation, even with women's inclusion, the negotiations would very likely have failed.

My research question focused on the role of women in negotiations, and while the NIWC did not have a significant impact on the durability of the Good Friday Agreement, there were several instances where the theory of the literature on women's inclusion accurately predicted the role women played in the peace process. One of the primary arguments made for women's inclusion is that women tend to be more conciliatory in their approach and focus on areas of overlap between conflicting parties rather than 'winning' concessions. The NIWC, a mixed Catholic and Protestant political party, was founded with the express purpose to "propose a framework based on collective action and mutual recognition of communal differences" (Spencer 2004, 50).

Unfortunately, the NIWC faced a lot of obstacles, such as the consociational model of the agreement itself. Because the NIWC did not conform to the sectarianism of the rest of society, it was institutionally marginalized—for voting, the parties had to register as Catholic or Protestant, but the NIWC was both (Murtagh 2008, 48). Consequently, it did not last past 2002. Furthermore, during the negotiations it was completely sidelined by the media, which focused instead on dramatic showdowns between the dominant parties (Spencer 2004, 46). As the news media was the primary way information was disseminated to the public at large, which included the paramilitaries and civil society groups, this limited the ability of the NIWC



to prevent spoilers. Moreover, the women were frequently heckled in the negotiations (and after the agreement was implemented, in the assembly); in other words, their colleagues did not allocate equal respect to the members of the NIWC (Mitchell 1999, 44). Ultimately, it is quite possible that the NIWC would have had a larger impact on the durability of the agreement had it faced fewer of these obstacles.

A very possible alternative explanation to my argument is that the Good Friday Agreement was more durable simply because it was the third attempt in the Northern Ireland conflict at a peace agreement. There was a second agreement, the Anglo-Irish Agreement of 1985, which I did not include in this project because it was primarily focused on British-Irish relations rather than a devolved government (in contrast to the Sunningdale Communiqué and the Good Friday Agreement) (Ibid, 16). By omitting the Anglo-Irish Agreement, it is possible I presented an incomplete explanation of the peace processes in Northern Ireland. Moreover, there is the role of women beyond that of the NIWC. There were many women's groups and women-led movements outside of the negotiations that certainly had an impact on rebuilding trust in the society (Ibid, 96). However, women outside the negotiations do not fit the definition I used of women's inclusion, which focused specifically on the inclusion of women in formal negotiations. There is also Marjorie "Mo" Mowlam, who served as the British Secretary of State for Northern Ireland during most of the peace process, and who is often cited as a notable female political leader who worked very hard to ensure the success of the Good Friday Agreement (Ibid, 132). Ms. Mowlam did participate in the negotiations as a representative of the United Kingdom, but as she was included because of her position rather than her identity as a woman, I did not characterize her role as the inclusion of women.

Conclusion

My research question, "how does women's inclusion impact the durability of peace agreements?", is now something I can address more fully. In the case of Northern Ireland, women's inclusion did not dramatically extend the length of the agreement, but it did operate in the way it was intended to. It bridged sectarian divides and reduced spoilers by representing civil society interests at the negotiations. Furthermore, women, unlike civil society groups, are able to operate throughout the formal political level, making their inclusion more adaptable to different acceptance thresholds of negotiations. Women

have the ability to form political parties that could potentially better represent the interests of civil society and armed groups in formal peace negotiations than they could for themselves. Firstly, civil society groups and women's groups often focus on similar issues. Secondly, women who are members of armed groups are rarely taken as serious threats, and arguably would have a better chance at entering negotiations as the representatives of a paramilitary group than a group of armed men (Anderlini 2007, 101). Women's ability to form political parties was a key point in the Northern Ireland case, as the negotiations for both agreements were only open to political parties and not paramilitaries or civil society organizations.

Moreover, I found that a combination of inclusion, DDR, and international mediation, was sufficient to establish higher durability. I developed a deeper understanding of peace processes, which supported my goal of conducting research that aims to improve peacemaking generally. There is a lot of potential for future research, both within Northern Ireland and in women's inclusion in peace processes in general. Something I discovered but did not fully discuss was the highly gendered divide in North Irish society, which potentially limited the NIWC even further. Monica McWilliams described this, saying "it is undoubtedly the case that both Church and State have combined together in ensuring that the prime role of women is as mothers and housewives" (Spencer 2004, 49). While the literature claims that women's typical gender roles provide the basis for the different perspectives they bring to the table, it would be interesting to analyze, in the context of Northern Ireland, the extent to which this limited the NIWC in formal politics.

Another limiting factor was numerical in nature—the NIWC only had two seats in the negotiations, and it is quite possible that it could have achieved more if it had received more votes in the general election. However, they were not the only women involved in the formal negotiations, simply the only ones who were there because of their identities as women. The other parties, and George Mitchell, had women on their staff, and it would be fascinating to explore how their influence affected the peace process. Moreover, as there is very little research of women's inclusion in peace processes more generally, the basic design of this project could be easily applied to other cases of women's inclusion. This would provide more empirical evidence of the theory that women's inclusion contributes substantially to durability. Finally, there is considerable space for research on how to increase the inclusion of women in peace processes, or, in other words, how to overcome obstacles like those faced by the NIWC.



Appendix A: Operationalization of the Variables

| Dependent Variable | Operationalization | Good Friday Agreement | Sunningdale Communiqué |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| Durability of Peace Agreements (DV) | How long has the agreement lasted? | | |
| | Did the agreement include: Constitutional reform? A monitoring mechanism to verify parties are upholding the agreement? | | |
| | To what extent was the agreement implemented? | | |
| Independent and Intervening Variables | Operationalization | Good Friday Agreement | Sunningdale Communiqué |
| Inclusion of Women (IV) | If women were included, at what point in the process were they allowed to participate? | | |
| | Were the women asked to participate, or did they have to push their way in? | | |
| | Was their participation characterized as the inclusion of women, or was their inclusion part of a larger inclusion of civil society? | | |
| | What obstacles did they face during the negotiations? | | |
| Inclusion of Civil Society (IntV) | Was there inclusion of civil society groups during the peace process? If so, which types and how many? | | |
| | Were they asked to participate, or did they have to push their way in? | | |
| | To what extent did their inclusion limit the disruption of spoilers? | | |
| Inclusion of Armed Groups (IntV) | Were the armed groups in the conflict included in the peace process? | | |
| | Did they have to push their way into the process, or were they invited? | | |
| | Does the final agreement focus primarily on the interests of the armed groups, or does it contain other provisions? | | |

| | | | |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| DDR (IntV) | Were DDR programs implemented? If yes: To what extent did they play a role in mitigating the uncertainty and high tensions present post-agreement? | | |
| | If no: Were different programs used instead? What prevented DDR from being used? | | |
| International Mediation (IntV) | Were the negotiating teams made up of UN or other international individuals, or were they mainly representatives of the conflicting parties? | | |
| | Did members of the international community call for the peace talks, or was it one or all of the conflicting parties? | | |
| | What role did a diaspora (located primarily in the United States) have in the decision to intervene? | | |

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URBAN PARK PATHS AND THEIR IMPACT ON COMMUNITY: A STUDY OF WASHINGTON D.C.'S 11TH STREET BRIDGE PARK

Maura Fennelly

Abstract

In 2019 the 11th Street Bridge Park will open in Washington, D.C., linking the Anacostia neighborhood with the rest of the capital. Although parks have the capacity to facilitate community, lower-income residents are sometimes displaced; the construction of park paths expedites gentrification (Jacobs 1961, Logan and Molotch 2007, Little et al. 2016). This paper discusses urban parks and their relationship with gentrification and increased housing costs. The study design uses two park paths, the 606 in Chicago and the High Line in New York City, to consider their influence on their respective neighborhoods. It then analyzes the 11th Street Bridge Park's planning and equity plan in conjunction with patterns of gentrification in D.C. to determine if the park can prevent displacement while simultaneously facilitate joint community usage. Because D.C. has undergone so many socioeconomic transformations and Anacostia is still 90% Black and low-income (median household income is \$34,000) (Hurley et al. 2016), it is imperative to determine if this park can avoid the undesirable outcomes of urban developments that harm community.

Introduction

This project focuses on residential displacement because of rising living costs and related causes due to large park path projects in cities. Elevated trail parks are being constructed in cities to join communities, create profit, and increase green space (The High Line Network 2017). While there is research on the effects of certain park projects on community well-being and gentrification, they have not been studied together comparatively. These park projects have

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the potential to increase real estate prices (via higher rents and property taxes) in the surrounding area, which can cause lower-income residents to move away (Loughran 2014, Smith 2016, 4).

Poorer neighborhoods are at the greatest risk of displacement caused from gentrification. Washington, D.C. underwent major demographic changes in the past two decades and the 11th Street Bridge Park project is actively attempting to avoid displacing Southeast residents (Logan and Molotch 2007, Hyra 2017, Bogle et al. 2016).

This project investigates the wider question: do large-scale park projects have the ability to revitalize or produce community in changing urban areas? More specifically, this research will determine if the 11th Street Bridge Park project has the capacity to push back against segregation and the lack of unified community within D.C. A literature review of parks in relation to community and gentrification, contextualization of the 11th Street Bridge Park, and analysis of the New York and Chicago case studies are presented before the D.C. park's plan is evaluated.

Literature Review

The Importance of Urban Parks

In her seminal work *The Death and Life of Great American Cities*, published in 1961, Jane Jacobs warns her audiences "to junk the false reassurance that parks are real estate stabilizers or community anchors. Parks are not automatically anything..." (1961, 92). Parks depend on people for their function and potential to be fulfilled (Jacobs 1961).

Residents must be able to observe their park if they want to make sure the space is safe. Having "eyes on the street" requires that the space be constantly viewable (Jacobs 1961). This approach, formulated by Jacobs, refers to community surveillance over local parks and streets. Mindy Fullilove, M.D. finds "it is the neighborly eye that governs what is happening on the street," or within and surrounding the park. Local observation shows commitment to place (2010, 74). "Eyes on the street" can cause lower crime rates (Harris et al. 2017). Public responsibility must be maintained because when private groups revitalize parks, people may feel less welcome (Low 2005, 196).

Public art in parks also forms community. For unfamiliar visitors, seeing a certain mural conveys certain messages. As Jacobs states, "art done for art's sake is outside economic life.... community things are done not for livelihood and not for power" (Jacobs 2016, 379). Local art gives voice and autonomy to the community.



Communities must be actively engaged with their parks for parks to reach their ideal form. Agrarian philosopher Wendell Berry emphasizes that the relationship between people and the land is codependent. Strong relationships with places, Berry explains, can be achieved through localism. Successful spaces will only be maintained if citizens are connected neighbors (2015, 62). Yet, the maintenance of neighborly relations may become strained from gentrification. Park paths are unique because they are larger than traditional parks. Still, these parks can function as public spaces, which allow marginalized groups to become “legitimate political subjects, but also in nudging issues and conflicts into the realm of democratic politics,” as Alexander Reichl from Queens College articulates (2016, 908).

Green Space and Walkability

Walkability and use of green space contribute to community. Walkability refers to high-quality walking and accessibility in certain areas (Jacobs 1961, Speck 2012, Gilderbloom et al. 2014). Accessible areas provide social structure for genuine interactions (Jacobs 1961). A study of 44 American cities found that an increased percentage of land in urban parks increases community well-being (Larson et al. 2016, 1-5). The authors suggest, “parks may...help to facilitate the construction of social capital and subsequent perceptions of community wellbeing” (Larson et al. 2016, 11).

People also rely on parks as “points of reference,” as Jamie Lerner, Mayor of Curitiba, Brazil, explains (2010, 190). Parks end up “providing territories that people can relate to, and interact with” (2010, 190). For example, Zuccotti Park in New York City’s financial district could be enjoyed during lunch breaks. But, to those involved in the Occupy Wall Street movement, the park signifies the crux of the resistance; a space where thousands of protestors risked arrest while calling for major economic reforms in 2011 (Dawson 2017, 6).

Areas around parks may change without entirely altering parks’ identities and visitor bases. Meridian Hill Park in Washington, D.C., also known as Malcolm X Park, became a space for resistance during the Civil Rights Movement in the 1960s. Then, “riots erupted in 1991 after a D.C. police officer shot a Latino man, the park turned into a staging area for law enforcement.” (Cox 2015). However, non-profits like “Friends of Meridian Hill” and residents implemented their “eyes on the street” and engaged with the park’s maintenance (1961).

Still, while the park was predominantly visited by Black and Latino individuals before the 1990s, it now sees many Whiter and wealthier individuals who moved nearby. The affects of increased living costs in the area altered the visitor base and those who claim it as their territory (M. Fennelly personal

communication 2016, Cox 2015).

Because of parks' potential as community spaces, neighborhoods must remain affordable for long-term lower income residents to stay. Jacobs warns, "there is no point in bringing parks to where the people are, if in the process the reasons that people are there are wiped out and the parks substituted for them" (1961, 101). Parks should not overpower focal points of communities.

The Consequences of Green Space and Environmental Gentrification

Minorities lack green space in cities and the Center for Disease Control sees this as a major contributing factor to high obesity rates among minorities (Acevedo et. al 2013, 1). Improving green, walkable spaces in underserved communities is objectively good, but it may increase costs of living.

Wealthier individuals visit parks more frequently than lower income individuals and changes in neighborhood costs can exasperate this phenomenon (Shahzad et al. 2017, p. 53). Urban planners also use parks to raise property values in the area (Littke et al. 2016, 360). Still, low-income individuals use city parks (Larson 2010) and these places can still remain "territories" even after areas become drastically more expensive (Talen 1999, 1362, Lerner 2010, 190). Many parks remain places of refuge for city residents, functioning as escapes from city life (Shahzad et al. 2005, 53). Who uses certain parks depends on area's identities and histories.

Gentrification is defined as the influx of wealthy individuals into a traditionally lower-income area. Followed are increased rents, new high-priced stores and restaurants, and potentially displacement, which is the forced or involuntary removal of individuals from their homes because of inability to pay for housing or from a feeling of no longer belonging (Logan and Molotch 2007, 115). As Mindy Fullilove, M.D. explains, entire neighborhoods were razed in cities like Roanoke, Virginia and Newark, New Jersey. City-dwellers most affected were Black. When areas became too expensive for existing residents, they were given housing vouchers (Fullilove 2004, 79). But, monetary offerings cannot compensate for neighborhoods' abolition, or "collective assets – the social capital created by long-standing community [which] were not considered in the assessment of property values" (Fullilove 2004, 79). Fullilove calls this "root shock", or "the traumatic stress reaction to the destruction of all or part of one's emotional ecosystem" (2004, 11). When an individual's home is taken, parts of their identity are taken away (Lerner 2010).

Park developments can stimulate environmental gentrification, which occurs when improvements are made to existing spaces or when new green



spaces are created, but these changes force low-income populations to leave because of increased costs of living (Cole et al. 2017). Ashley Dawson of the City University of New York explains, parks and environmental urbanism are “used to attract wealthy professionals... [and] help drive up property values, displacing the long-time residents of such areas...” (2017, 38). Regardless of the ambiguity in gentrification’s impetus, vulnerable communities are often apprehensive of waterfront and park projects because of the consequences (Anguelovski 2016, 31). Improving parks is good in theory, but they can be destructive when tarnishing areas’ affordability. Literature on environmental gentrification does not account for effective long-term solutions that prevent displacement associated with urban green growth.

Jacobs warns “that self-destruction of diversity is caused by success, not by failure” (1963, 251). When popular attractions like park paths open in cities, they appeal to various groups (Maher 2015). Jacobs mentions how “parks... add great attraction to neighborhoods that people find attractive for a great variety of other uses” (1961, 111). When an area has economic opportunity, it will attract those with the capacity to live and work there. These people tend to be wealthier, more educated, and Whiter (1961, 251).

Gentrification and Racial Inequality in Washington, D.C.

The historical inequalities in Washington, D.C. in relation to this park project are significant. Young adults’ desire to live cities instead of suburbs and rural areas is increasing and affects housing demands and development projects (Hyra 2017). For example, 13,000 “upwardly mobile Whites” move into D.C. every year (Howell 2016). D.C.’s population in 1980 was 70% Black, compared to 2010 when it was only 51% Black (Bogle et al. 2016).

Since 2006 D.C. lowered its number of affordable housing units by 50% (Howell 2016, 211). A 3,000-person Urban Institute study on the city and surrounding suburbs reveals how these changes impact residents (Tatian et al. 2017). Out of the respondents who moved in the past year, 58% moved because they could not afford their residence. 34% left the D.C. area (Tatian et al. 2017, 18-19). These individuals and their families are uprooted from their community because of rising costs of living (Fullilove 2004, 11).

Racial inequality within the D.C. area is noteworthy. White households have a net worth 81 times that of Black households in the DMV area (Tatian et al. 2017, 16). Only 9% of White families have annual incomes below \$75,000, while 67% of Black families do. The child poverty rate is 3% for White children and 19% for Black children in D.C. The Black unemployment rate in the city

is also almost three times higher (10.9%) than it is for Whites (3.8%) (Hendey 2017, 9-11). The city's "lowest income residents" spend up to 80% of their monthly income on housing. 70% of these low-income residents are in the labor force and 91% are Black (Zippel 2016).

There is successful resistance to displacement in D.C. due to tenants' rights laws. The Tenant Opportunity to Purchase Act (TOPA) allows tenants to purchase their buildings before being sold to developers. Organizers and attorneys do protect D.C. tenants from eviction and ensure their TOPA rights are protected (Howell 2016, 215). This policy gives agency to tenants, but they are often forced to live in poor conditions because of neglect from landlords (Howell 2016, Zippel 2016).

Policies like redlining and covenant agreements amplify the racial inequalities within D.C. An organization put together a project called "Mapping Segregation in Washington, DC" throughout the 20th century. Playgrounds throughout the District were racially segregated and there were none in Ward 4 for Black children until 1954. Until the playgrounds were desegregated, Black children were forced to play on old civil war forts and traffic circles (Cherkasky and Shoenfeld 2018). While these policies no longer exist they contributed to segregating Black populations east of the Anacostia River (Bogle et al. 2016).

Despite the history of segregation, Washington, D.C. has high park accessibility. The Trust for Public Land's "ParkScore Index" ranks D.C. 4th out of 100 American cities for citizens' accessibility to parks within a 10-minute walk of their residences. Only 3% of DC residents who earn less than 75% of the city's median income (\$50,000) are "not served" (Trust for Public Land 2017). In terms of providing adequate parks, Washington, D.C.'s Parks and Recreation Department succeed.

D.C.'s abundance of green space provides an overall good for the city, but its high cost of living does not. The history of racial inequality in Washington, D.C. explains the significance of Black families leaving areas at high rates because they can not afford to stay. Justin Maher of the University of Massachusetts, Amherst conducted an ethnography in the Columbia Heights neighborhood of Washington, D.C. and found that long-term and newer residents praise the area's diversity. However, he also noticed longtime residents saw "lack of respect and engagement" in the historically Black and Latino neighborhood (Maher 2015, 996).

Derek Hyra of American University investigates gentrification in the Shaw and U Street neighborhoods in Washington, D.C. in *Race, Class, and Politics in the Cappuccino City* (2017). Increased rents forced many long-time Shaw/U Street residents to leave. In the 1980s the area was 90% Black and in



2010 it was only 30% Black (Hyra 2017). Many long-time Black residents who remain in D.C. fear that they will be displaced, even with tenant rights because their home is no longer the “The Chocolate City” (Evert 2015).

Some Anacostia residents used to live in the Shaw and U Street neighborhoods, but were forced out from increased rents (Hyra 2017). Now, Anacostia, the site of the Bridge Park project, is undergoing development. Recently Anacostia and the adjacent Congress Heights neighborhood were ranked first and third respectively in price appreciation across the District (O’Connell 2016). Major projects like the new Department of Homeland Security building “have already made the dwelling places of historic Anacostia residents attractive to housing speculators” (2016, 5). The neighborhoods east of the Anacostia River are separated from the rest of city. This division is what Jacobs calls a “border vacuum” (1961); the river isolates Anacostia from the hub of the nation’s capital. The patterns of gentrification in tandem with Anacostia’s rising property values make many residents concerned about their long-term stability in the neighborhood (Evert 2015).

Developers are looking at Anacostia in Southeast D.C. to be the next area to redevelop. Previous research shows that waterfront development causes residents to worry about changes in neighborhood livability (Evert 2015, Zippel 2016, Cole et al. 2017, Dawson 2017). From George Washington University, Alice Hamilton Evert emphasizes that any projects east of the Anacostia River “should be mindful of the concerns and goals of the existing community” (2015, 286). She also noted, “the evidence is, they [low-income minorities] are increasingly living east of the river... where poverty and racial segregation are really, really high” (2016). To note the difference, in 2014 the median household income in the Navy Yard (west of the Anacostia River) was \$91,000 while in Anacostia it was only \$34,000. Anacostia is also over 90% Black, revealing that concentrations of poverty are also correlated with race (Hurley et al. 2016). Patterns of gentrification and segregation suggest that many low-income Black Anacostia residents are at risk of displacement if property value in the area continues to rise.

The 11th Street Bridge Park

Under the leadership of The National Building Museum’s Scott Kratz, the nonprofit organization Building Bridges Across the River will construct a \$45 million bridge park starting in the Navy Yard neighborhood and extending across the Anacostia River into existing Anacostia Park (Hui 2017). The bridge will rest on piers from the former 11th Street Bridge (O’Connell 2016). The project aims to literally bridge two socioeconomically separate communities

(West of the river a home has a median value of \$648,259, while east of the river a home has a median value of \$255,553) (Bogle et al. 2016) without displacing people. No independent professional studies have been conducted on the development plan comparing it to the outcomes of other park paths. This lack of research makes it difficult to determine if the plan is likely to protect the residents from gentrification.

The planners aim to make Anacostia's first community land trust, which would create permanent affordable housing in Anacostia. The land trusts will be community controlled (Hui 2017). It should also be noted that average first-time White homebuyers can afford 67% of homes in DC, while the average first-time Black homebuyer can afford only 9.3% of the city's homes (Bogle et al. 2016). This difference is significant because it reveals that Black residents may not be able to purchase their homes in order to avoid displacement, especially as price appreciation rises (O'Connell 2016).

Hypothesis

The changes in neighborhood identity near New York's High Line area and D.C.'s many neighborhoods show that physical changes to neighborhoods alter community (Littke et al. 2016, Hyra 2017). Although the park planners made efforts in protecting residents, it is unclear if the proactive plans will mitigate the effects of other development projects in the area (Bogle et al. 2016).

The Urban Institute did not compare 11th Street Bridge Park plan to other parks' plans (not just the outcomes) to predict how equitable it will be (Bogle et al. 2016). Examination of other park paths' effectiveness in mitigating displacement is needed (Hui 2017).

I hypothesize that the 11th Street Bridge Park's design and planning process make it the most progressive out of the three park paths studied in this research paper. By "progressive," I mean the planners consideration of undesirable outcomes of development and their adequate attempts to mitigate those outcomes. However, the park will have some inauthentic features that are likely to attract tourists and nonlocal visitors because of its placement outside of residential communities. Still, the park will not cause as much displacement as other park path projects have.

Rival hypotheses suggest that the park path will cause gentrification and displacement without community; or the park path will contribute to no gentrification and displacement and instead will foster community. Both of these rival hypotheses ignore the increases in housing prices near the Chicago and New York park paths and the lack of affordability in the



areas. These hypotheses also ignore the patterns of gentrification present in Washington, D.C. for the past 20 years. These rival hypotheses ignore the equitable development plan and millions of dollars being used for affordable housing near the 11th Street Bridge Park. These hypotheses will be disproven throughout the essay.

Study Design

This project compares the planning process of three parks to consider how each contends with the risks of displacement, demographic change, and community. The High Line in New York City and The 606 in Chicago will be used because they are park trails constructed in developing neighborhoods with low-income populations within cities, are walkable, privately funded and designed, and directed at public revitalization (Smith et al. 2016, Roy 2014, Loughran 2014). The 11th Street Bridge Park project shares these characteristics (Building 2015). Details on each park are available in articles, studies, and the parks' websites. I compare these plans and levels of community engagement throughout their respective processes to the 11th Street Bridge Park to determine the likely consequences of the project on the communities it is purported to serve. Since the Chicago and New York City projects are built, peer-reviewed studies show how and to what degree they contributed to gentrification in their neighborhoods. I also look at community usage and nonprofit programming in the existing parks.

In addition to existing material, I also include literature on environmental gentrification, development, walkability, green space, and community in cities. Applying Jacobs' sociological research to a current project aiming to transform a city will assist in determining if a community can be equitably reformed and if the two sides of a city can be brought together.

Key terms are defined. Displacement is measured through longitudinal comparisons of the neighborhoods of these parks by looking at changes in rent, price appreciation, affordable housing, property values, race, and average median income of residents in the long-term community. Long-term community is the people who lived in the park projects' radius prior to construction. This community is compared with the current community, the residents residing in the park areas post-construction. Comparing these two factors determines if genuine social relationships exist because of these parks. Diversity is the existence of individuals from various income statuses who are of different races, ages, and ethnicities. Community engagement is measured with records on equity plans, outreach efforts, and community meetings. Joint

community usage will be operationalized by looking at non-profits' involvement and community programming in the park spaces. Information on the existing parks provides insight into the effectiveness of community engagement by analyzing who uses the park. Walkability is defined using Jeff Speck and Jane Jacobs' descriptions of public sidewalks and pathways (2012, 1961).

The independent variables used are low-income areas, publicly directed parks, trail parks' accessibility (measured by numbers of entrance points, the design of entrances, and usage rates), walkability, equity plans (attempts and actual outcomes of public housing, and maintaining affordability), and community engagement throughout the planning processes. The dependent variables are displacement and joint community use via the parks themselves. The data for these variables is publicly available from the park planners, newspaper articles, and academic studies. The cases of New York, Chicago, and D.C. will be studied from their initial plans up until present-day. Because the 11th Street Bridge Park will not be built yet, existing resources and research on the park will be used along with the evidence of the two other park paths in order to answer the research question.

I look at how the park plans and processes sustain affordability, protect local businesses, and prioritize long-term residents' desires. If certain cases lack these features, I will note how their absence affects the outcomes on the neighborhoods. I compare the 11th St. Bridge Park with urban theories in order to determine if the park will create unscripted interactions between two neighborhoods currently separated from the Anacostia River.

This project shall determine if the 11th Street Bridge Park will facilitate community or further add to the increased cost of living in Southeast Washington, D.C. In order to efficaciously determine what this park will do to the community, comparative analysis with existing trail parks and scrutiny of existing material on the 11th Street Bridge must occur.



Summary of Variables and Characteristics of Park Paths

| | New York City “The High Line” | Chicago “The 606” | Washington, DC “The 11th Street Bridge Park” |
|-----------------------------------------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Number of Annual Visitors | 4.8 million | 1.3-1.46 million | N/A |
| Length | 1.5 Miles | 2.7 miles | 900 feet |
| Design | Elevated trail on unused rail road tracks | Elevated trail on unused rail road tracks | Intersecting bridges built on top of old support beams across Anacostia River |
| Cost of Construction | \$65 million | \$95 million | \$45 million |
| Property Value Change | 103% increase (between 2003 and 2011) | 48.2% increase (in housing prices between 2013 and 2016) | N/A |
| Equitable Development Plan; Pre-Construction | None | None | Yes |
| Affordable Housing part of Equity Plan | None | No, but \$1 million funded by city of Chicago | Yes, comprehensive |
| Non-profit role | Friends of The High Line | Friends of Bloomingdale Trail; other local community organizations | Building Bridges Across the River; dozens of other local DC organizations |
| Role of City Government | Supported project once profit was guaranteed by Friends of the High Line | Supported from beginning, part of Mayor Emanuel’s push for green space in city | Approved of plans early on, spent \$8.4 million on construction |

New York City – The High Line

The High Line's construction began in 2005 and was completed in 2014. The path extends for 1.5 miles down the west side of Manhattan in Chelsea (Littke et al. 2016, Loughran 2014). Two Chelsea residents, Joshua David and Robert Hammond, formed the nonprofit Friends of the High Line (FHL) to prevent former railroad tracks from being demolished (Reichl 2016, 906). David and Hammond had a large amount of social capital established in the community and used celebrities and local art gallery owners to persuade the city to keep the structure by arguing that the space could be transformed into an attraction (Littke et al. 2016, 355, Lang and Rothenberg 2016, 1751). The park had 4.8 million visitors in 2013 alone and continues to be one of New York City's most visited tourist locations (Littke et al. 2016, 358).

FHL is criticized for being an elitist group that made executive decisions throughout the planning stages without establishing support and communication with the lower-income residents in the neighborhood (Loughran 2014). Prior to this project, The High Line was in an area of New York known for crime, nightclubs, and a large LGBTQ population (Loughran 2014, 54). Throughout the 1990s, wealthier professionals moved in and art galleries opened. Some newcomers grew tired of looking at the old, dilapidated railroad structure and wanted to beautify it. However, newcomers separated themselves from lower income residents in the neighborhood. This multi-million-dollar project was built instead of transforming abandoned parking lots into playgrounds and parks, which had "been on the community's wish list for decades" (Littke et al. 2016, 359). FHL's decision to not appeal to the lower-income residents' requests shows lack of communication with less privileged residents.

No evidence suggests that the nonprofits reached out to the 5,000 low income residents located in the two public housing properties next to the park (Lang and Rothenberg 2016, 1755). FHL picked an architectural company that "publicly acknowledged that catalyzing economic growth was the first priority" (Lang and Rothenberg 2016, 1745). The planners created a study to show how the High Line project would create revenue; the construction would cost \$65 million, but would generate \$140 million in tax revenues through retail, luxury apartments, and dining (Lang and Rothenberg 2016, 1752). The focus was on the financial gain.

There are eleven entrance points to the High Line (six are handicap accessible) (Friends of the High Line 2018). Elevated above bustling Manhattan streets, the park serves as an escape for visitors. Observations of the park



reveal visitors' slow-paces while walking as they take in the scenery. This is a positive benefit of walkability that Speck observes in walkable spaces (2012). However, much of the greenery on the path is fenced off, creating a separation from nature (Littke et al. 2016, 358). This serves as a "border" that Jacobs talks about, creating an inorganic gap between concrete and nature (1961).

There are also food and art vendors along the High Line. Many of the owners of the food stands complain about FHL's strict rules; for example, napkins are given out if visitors ask in order to reduce trash in the park (Loughran 2014, 58). In 2011 Friends of the High Line created "High Line Food," which provides sustainable, high-end, and organic food options (Friends of the High Line 2018).

The park is also connected to the Whitney Museum, which opened just as the park was completed. Admission to the Whitney is \$25, a price that impedes many from visiting (Friends of The High Line 2018). Despite the park's free entrance, it has a high-income identity. Although the space is still open to all individuals, its identity and connection with expensive stores and high-end companies make many feel unwelcome. Community cannot be fostered in environments where residents do not use these types of spaces.

Ethnographies studying the High Line provide evidence of who feels like they belong there. In 2012 FHL conducted outreach to investigate why lower-income residents near the park felt that the space was not for them. The 800-person survey targeting individuals from the two public housing complexes revealed that residents did not go because they did not see it as their park. FHL's heavy regulation of the space, such as limiting only five art vendors onto the park every day, restricts citizens' ability to act freely (Loughran 2014, 61). They also did not like how FHL banned activities like dog walking, biking, and barbecuing; activities that are popular at many other parks (Lang and Rothenberg 2016, 1756). Individuals must feel that a park is built for them if they are actually going to use it (Low et al. 2005). Only when individuals establish a connection with parks can the latter can become a point of reference for the former (Lerner 2010). Instead, many residents near the High Line were unable to create such a connection because the goal of the park was not community, but profit. The High Line became a tourist destination instead of a local community park.

The High Line's relationship with gentrification in Chelsea also reveals the consequences of park projects' demand for unregulated growth. Property values surrounding the High Line increased 103% between 2003 and 2011 (Littke et al. 2016, 363). Tenants' rights and the preservation of affordable housing in New York City protect lower- income residents from

being displaced, but only to a degree. A certain number of affordable housing units are guaranteed, but this does not mean that every low-income resident will receive subsidized rent (Lang and Rothenberg 2016, 1759). Many local businesses had to shutdown because of increased rents and they were replaced with more expensive and luxury retailers (Littke et al. 2016, 363). Because the overall cost of living in the area increased, residents now prefer more luxury dining and retail options, compared to the middle-income stores that once thrived.

Witnessing this transformation, low-income residents are uncertain of their long-term ability to afford daily costs of living beyond housing payments (Lang and Rothenberg 2016, 1756). A 2014 survey reveals that 83% of High Line visitors were White, while only 4% were Black and 2.9% were Latino (Reichl 2016, 911). This is even more significant considering that over a third of Chelsea's population is made up of people of color (Reichl 2016, 915). While the High Line is incredibly popular, it cannot be defined as a democratic space. The planners did not create a community park; rather, they created a tourist destination that attracted wealth into the neighborhood.

The FHL did not focus on preserving affordable housing. There was no open forum for the 5,000 public housing tenants or other Chelsea residents to contribute their qualms or opinions (Loughran 2014, 63). Equity was not a priority throughout the construction. Instead, FHL convinced New York that the park would bring in revenue (Lang and Rothenberg 2017). The FHL surveillance and strict regulations of vendors along the park path also discourage the organic interactions that should happen in these spaces (Loughran 2014, 52, Ellin 2010). The park does have various access points and allows visitors to walk and view the magnificence of Manhattan. However, the visitor base remains predominantly White, revealing the park's limitations in creating a shared democratic space.

Chicago – The 606

Formerly the Bloomingdale Trail, Chicago's rebranded "606" (named after the city's zip code) park path officially opened in 2014. 2.7 miles of abandoned railroad tracks were converted into the \$95 million park (Loughran 2017, 1960, Nolan 2015). The creators state how "Community input into design and function has been a hallmark of The 606 process. Numerous public meetings brought community input into the park and trail system's design, function, and aesthetics of the parks, trail, and event spaces" (The 606 2018). The city government approved of the park plans from the beginning of the



process; Mayor Rahm Emanuel fully supported The 606 project since 2013 because of his initiative to increase green space across the city (Thiel 2015).

The park's design is like the High Line's. There are 16 ADA accessible entrance points (Gobster et al. 2017, 84). The path also connects six parks on the ground. Unlike the High Line, bicycles are allowed and running is encouraged on The 606 (The 606 2018). Half of the \$95 million funding came from the federal Congestion Mitigation and Air Quality program and one of the stipulations for receiving the money was to ensure that bicycles would be allowed along the path. Dog walking, which was also banned on the High Line, is allowed on The 606 (The 606 2018). The city's commitment to making more open green space was realized through the creation of the park path.

Public art is also popular along The 606. Sculptures and other installations are on view along the path. Nonprofits arrange murals for children to create (The 606 2018). Over 200 species of trees and plants cover the path (Gobster et al. 2017, 84). The 606 is a popular location for Chicagoans. Surveys show between 1.3 and 1.46 million people use the park annually (Gobster et al. 2017, 90). These are lower than visitation at the High Line, but they are still high, as Gobster et al. explain "few urban trails where systematic use data have been collective have recorded volumes that exceed that level of use" on The 606 (2017, 90). The 606 is used much more by locals Chicagoans than the High Line is (Gobster et al. 2017, 90).

The 606 runs through both lower income and wealthier areas of Chicago. The Institute for Housing Studies at DePaul University studied The 606's effect on real estate in nearby neighborhoods. The researchers split up the two main areas into "606 East" and "606 West" (Smith et al. 2016). Although their research was conducted after the park opened, the neighborhoods' demographics were similar (Loughran 2016). 606 East is made up almost entirely of high-income White families with high rates of homeownership. Comparatively, 606 West is lower- income, majority Latino, and made of primarily renters. The median household income in 606 East is \$115,924, while in 606 West it is \$49,701 (Smith et al. 2016, 5). Renters are more vulnerable to displacement than homeowners because of how quickly rent prices can increase (Evert 2015).

While there is less information on the demographics of park users compared to the High Line, interviews reveal the tensions between residents in 606 East and West. Journalist Martha Bayne has lived nearby the trail for over a decade and notes that:

the bright murals that marked the passage from Humboldt Park to Logan square – whose neighborhood boundary the trail

passively polices – have been sandblasted away in the name of lead abatement. The quiet man who lived underneath the overpass all last summer has moved on. If you trespass on the trails these days you'll get a ticket (2018, 177-178).

The park's transformation into a more formal space makes some people feel unwelcomed. Even though its hours of use are limited between 6 am and 11pm, this park has far less rules than The High Line (The 606). However, these rules help keep the park safe from illegal activity. Also, even though old art murals were erased during construction, there are newer art projects made by the community.

Lucy Gomez-Feliciano is a community worker and resident of 606 West and fears she may need to move if her property taxes continue to increase. Gomez-Feliciano expressed that Chicago "failed to think about holistic planning to preserve diversity. At the end of the day, the people making decisions, they are not looking out for people like me and my neighbors" (Bergen 2016). Data shows in 2016 buyers paid a 22.3% price premium for properties located in one-fifth of a mile radius of the path after the 2012 construction. This equals a \$100,000 premium for a single-family home. Housing prices increased 48.2% in 606 West since the park's groundbreaking (Smith et al. 2016). Because the residents of 606 West earn less than their 606 East neighbors, they are concerned about such high increases.

While The 606 lists no equitable development plan on their website, efforts were made to combat displacement from the increasing rents and property taxes surrounding the park path. Local organizing groups like the Logan Square Neighborhood Association are working on tax abatement programs to mitigate the effects of development. These programs "grant reduction or exemption from taxes for a specific time period of time to ease financial burden for longtime home owners" (Thiel 2015). The city of Chicago also spent \$1 million on a loan program that would assist renters and property owners near The 606 (Bergen 2016). However, with the high number of low-income individuals in The 606 West facing increased rents, much more money will be needed to prevent displacement.

While it is too early to make a comparative analysis of the breakdown in visitors, The 606 is much more locally oriented and community-based than the High Line. As mentioned, art is a significant part of The 606's identity. Local Chicago artists remain involved since the park's construction in creating temporary installations, murals, and other projects (The 606 2018). The support of neighborhood associations also shows the community involvement to the park (Thiel 2015).

The increases in property around The 606 are not as exorbitant as they were around the High Line, but lower-income residents worry about their capacity to stay in place. While the city offers some guaranteed affordability, more comprehensive planning was needed during the development of the park. The



creators of The 606 made a public space that is open to all, but they did not ensure the surrounding space would remain equitable enough for all existing residents.

Still, the 606 benefits the surrounding community. There is more green space and crime rates substantially declined in the park's vicinity. Crime statistics from 2011 (before the park was completed) compared to 2015 (when the park was open to public use) reveal that violent and nonviolent crimes in neighborhoods near the park decreased significantly. The authors of the crime study posit that such a drop could be due to the "eyes on the street" theory that Jacobs puts forth, suggesting that residents demarcated the park as their territory and survey it prudently, deterring criminals (Harris et al. 2017, 65-68). However, the researchers also suggest decreases in crime could be attributed to gentrification, which "has been shown to significantly reduce violent crime" because more resources and economic growth replace abandoned areas that foster disorder (Harris et al. 2017, 77). This scenario reveals the complex effects of gentrification throughout cities. And although there are increases in property values and costs of living near the park, community members organized themselves to try and ensure they can remain in place (Smith et al. 2016). The park has drawn in residents and offered them a place of recreation.

Analysis of the 11th Street Bridge Park

Similar to the other parks, the 11th Street Bridge Park is going to be built atop repurposed materials; however, this park will cross a body of water. Since its inception, the 11th Street Bridge Park aims at unifying the neighborhoods east and west of the Anacostia River. Yet, its planners and Building Bridges Across the River (the nonprofit in charge of the project) (BBAR) are aware of the risks from a large-scale project.

Although no actor or institution is legally responsible for preventing displacement, BBAR is committed to avoiding Anacostia residents from being displaced. The organization devoted millions of dollars towards equity programs to ensure that all residents will stay in place. The park's "Equitable Development Plan" is the most comprehensive equity plan of the cases in this project. Scott Kratz, the director of the project, held over 200 community meetings between 2011 and 2013 to see if residents would want the abandoned 11th Street bridge turned into a park (Bogle et al. 2016, 6). Anacostia's BBAR then took over the project in 2013, allowing Anacostia residents and local non-profits to have a voice in deciding the final design for the project by suggesting what features should be on the park (Bogle et al. 2016).

Similar to Chicago's 606, the 11th Street Bridge connects two distinct

neighborhoods with drastically different identities. West of the river, the Navy Yard and Capitol Hill neighborhoods have an unemployment rate of 6.63% (one percentage point above the national average), a child poverty rate of 20.46%, and median home values of \$653,737. East of the river, Anacostia has an unemployment rate of 20.71%, a child poverty rate of 53.18%, and median home values of \$262,601 (Bogle et al. 2016, 11). The major increases in housing costs in the lower-income 606 West reveal that less affluent areas are at risk of major increases in costs of living when park projects are built (Smith et al. 2016).

The other case studies emphasize the importance of community engagement surrounding the parks. The High Line lacked engagement and failed to create an inclusive space (Loughran 2014, Littke et al. 2016). The 606 plan moved quickly because of Mayor Emanuel's support, which may be why community groups only became greatly involved after the park's construction (Thiel 2015). The 11th Street Bridge process is far more inclusionary. The Urban Institute has commended Kratz and BBAR for "engaging a wide range of stakeholders, especially residents, in designing the park and in setting equitable development goals" (Bogle et al. 2016, 19). BBAR held over 700 meetings since 2014 (2018). The extensive outreach efforts will likely contribute to residents viewing the project as something built for them, as opposed to it being built for profit, as was the case of the High Line.

BBAR's Equitable Development Plan focuses on three main areas: Housing, Workforce Development and Small Business Enterprise. The Workforce Development section emphasizes job opportunities during construction and after completion. A "Community Workforce Agreement" was made that guarantees the majority of construction jobs to go to residents in the park's impact area. The positions will be short-term once the park is completed. Maintenance jobs for the park are also guaranteed, but the number of these positions for will not be high (Building 2015). The Small Business Enterprise focuses on having local businesses sell their goods on the park (Building 2015). The push to have local vendors on the bridge is crucial for creating an inclusive environment because the High Line case shows how having elite vendors can make lower income residents feel unwelcome (Loughran 2014, 58).

The park planners included various activities and uses. An area for launching kayaks into the Anacostia River, an environmental education center, a hammock grove, waterfalls, and play areas are spread throughout the space (Building 2015). The versatility of these features will appeal to people of all age groups and identities. Along with its many activities, the park also has two paths that extend its length, one of which allows bicycles (Hui 2017). This trail will be an opportunity for bikers and pedestrians to enjoy the views of the park and river. The bicycle paths are popular features of The 606, suggesting that this park will



also see many bikes (The 606, Palardy et al. 2017). As Jeff Speck emphasizes, these walkable spaces are imperative for cohesion and genuine interaction within neighborhoods (2012). It is too early to tell if the walkable path will encourage interactions between two communities. Also, there is no data showing differences in preferences between Anacostia and Navy Yard residents concerning what park features they want. The only evidence of favorable activities come from the agreed upon choices made with those who attended the community meetings.

The complicated question is whether or not the park will facilitate continuous community interaction between the current residents of Anacostia and the Navy Yard. The bridge is branded as a physical connection between the two areas (Urban Institute 2016). So much attention has been spent by the planners in clarifying what the project aims to do. While this shows objective, it also fails to allow the residents from creating an original identity for the park itself once it opens.

As various scholars note, the construction of green spaces can lead to the influx of wealthier individuals (Anguelovski 2016). These green spaces can cause increases in property values (Dawson 2017, 38). The High Line and 606 were associated with increased cost of living in the adjacent areas. Therefore, it is logical and rational for lower-income residents east of the Anacostia River to be concerned about their ability to stay in the area as other development in occurs (O'Connell 2016).

However, unlike The 606, the planners of the 11th Street Bridge Park stated their equitable development goals and put them into action before construction. BBAR already acquired \$50 million from the Local Initiatives Support Corporation to secure affordable housing and JPMorgan has donated \$10 million, \$5 million of which will be devoted solely to affordable housing in Anacostia, "\$3 million will go toward a community land trust, \$1 million toward support for neighborhood businesses and the remainder for construction-skills training and program evaluation" (O'Connell 2017). The funding already led to the purchasing of 53 homes for Anacostia residents, ensuring those families will be able to remain in place even if costs of housing increase, although property taxes may still rise (O'Connell 2017). 80% of residents in Anacostia are renters, so they would be unaffected by the money being put into home-buying programs for current homeowners. The community land trust will attempt to fix this, though, by creating "permanently affordable housing" in the area. Two of the land trusts will be future single-family homes sold or rented to individuals earning no more than 50% of the area median income (Nonko 2018, Hui 2017). Because of the impact these projects have on real estate in their neighborhoods, actions focused on preserving and adding equitable housing are imperative to avoid displacement (Dawson 2017).

Its comprehensive equitable development plan makes the 11th Street Bridge Project the most progressive of the park paths studied in terms of its commitment to keeping existing residents in place. While the High Line branded itself as an elite space, the D.C. park included the suggestions of lower-income Anacostia residents through outreach efforts (Urban Institute 2016). The 606 planners failed to address the differences in incomes between the 606 West and 606 East and the effects on property values prior to construction (Smith et al. 2016). The 11th Street Bridge Park planners publicly note the racial inequality and the income disparities between the two neighborhoods. BBAR shows awareness into the effects of the park on marginalized residents. The millions of dollars in corporate donations also show more funding is being put aside for equitable growth in DC than in the case of Chicago.

The Navy Yard and Southwest Waterfront are already popular, but their development led to the demolition of public housing and increases in rent (Rybczynski 2010). These projects alongside the ongoing development and construction east of the river are warning signs that the cost of living in Anacostia will increase (O’Connell 2016). Local commitment to the park path still exists; dozens of nonprofits are associated with the construction and many residents are excited for its completion (Hui 2017). Still, as Jane Jacobs warns, a park serving as a destination via “civic and cultural-center design” (1961, p. 101) makes it unable to function as a local, community-oriented space. Even though public space is open to all people, the branding of these park paths as such impedes the chance of them becoming hearts for the local community itself.

The park's projected completion in late 2019 prevents judgments to be made on its final form, but analysis can be done on its architectural renderings and images.

Image 1 (Right) photo shows an image of Frederick Douglass, a former resident of Anacostia, paired with one of his famous quotes on the abolition of slavery. Because of the large Black population east of the river and Douglass' residence there, this symbolism is quite powerful. With decline of the Black population in D.C. in recent decades, it is important to have public recognition of the city's Black culture in the park (Hyra 2017). Publicly recognizing the history of surrounding area in parks is essential in maintaining cultural significance (Low et al. 2005).

The photograph captures a contemporary architectural scene at twilight. A large, angular concrete building serves as a canvas for a massive digital projection. The central focus of the projection is a detailed portrait of Frederick Douglass, looking directly forward. To the left of the portrait, several lines of white text are projected onto the building's surface, which appear to be a famous quote by Douglass regarding the abolition of slavery. In the foreground, a paved plaza features some low-lying plants and flowers. Several people are visible: a person in a pink shirt stands near a red bicycle, another person is riding a bike, and others are walking or standing further back. The sky above is filled with soft, colorful clouds in shades of purple, blue, and orange.

Image 1



Image 1

Image 2 (Right) shows a café and lounge area under the area where the two bridges intersect. The covering over this space seems like it would encourage use on rainy days. The area also seems like it has the potential to offer the refuge and sense of security that Low et al. mention as imperative in creating a welcoming space (2005). However, the design does appear to be sterile and modern, which may feel inauthentic.



Image 2

Image 3 (Below) depicts the environmental education center located on the bridge. The park planners say the Center will offer children the opportunity to learn about the Anacostia River and on the weekends will “become the backdrop for green infrastructure demonstrations, interactive workshops, job trainings and presentations” (11th Street Bridge Park n.d.). The potential for various uses of this space is great, but the planners also note it can be used “for a special event



Image 3

space that could be rented out for fundraisers, weddings or conferences...” (11th Street Bridge Park n.d.). The goal of a park should not be to create exclusive spaces, even if temporarily. The actual use of this space will affect feelings of inclusion and authenticity at the park.

Situated right next to the Martin Luther King Jr. Ave SE Bridge, the park and its visitors will face the noise from traffic. Parks are meant to create sense of refuge and escape (Jacobs 1961). The High Line and The 606 allow visitors to escape the at times chaotic speed of the cities. There is a significant difference in being above the traffic of bustling streets (in the cases of Chicago and New York) compared to being right along side of it (in the case of D.C.).

These are the entrance points. From the Anacostia side, visitors enter through paths extending to the Anacostia Riverwalk Trail. When entering from the Navy Yard side, visitors face a parking lot property of the U.S. Navy to their right and the MLK Jr. Ave Bridge to their left. Jacobs frequently observed this absence of integration between parks and cities. In order to close the gap between streets and parks, Jacobs states that popular park activities “should be brought right up



Image 4

to the border of big parks, and designed as links between the park and its bordering street” (1961, 266). Creating these “seams,” unifies the street and park to create an “intricate mixed city fabric” (1961, 269). While the Anacostia side of the park organically blends in with the Anacostia Riverwalk Trail, the Navy Yard side has a border

between the Navy Yard. The designers plan to put “river gardens” at the Navy Yard entrance, but these should extend further into the neighborhood to draw visitors into the path (Building 2015).

The Anacostia Riverwalk Trail passes under freeway bridges, but side trails will extend right to the bridge park's entrance. Even with the trails, Anacostia residents will navigate around the Anacostia River Park to get to the park. Local roads connect to Anacostia Park, but driving to the park may discourage everyday local use. While both sides of the park have Metro stops, they are a mile away from the park's entrances, which may make it difficult to rely on public transportation to reach it. Parks are accessible to residents if they are located within neighborhoods (Jacobs 1961). The High Line and The 606 have millions of visitors a year and are imbedded within city streets (Littke et al. 2016, Gobster et al. 2017). In D.C., people will not be able to use “eyes on the street” from their

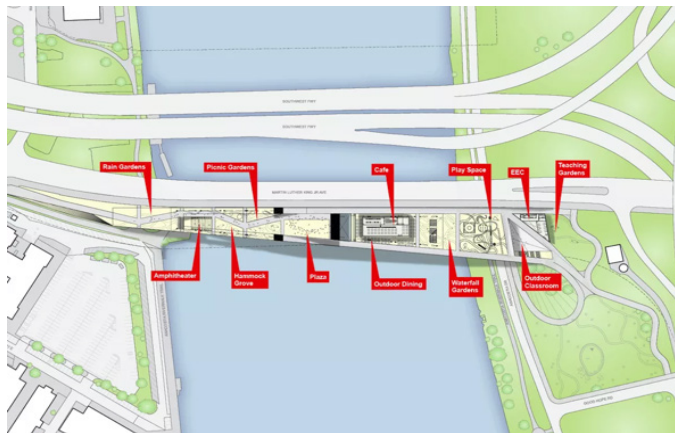


Image 5



residences (Jacobs 1961). The distance factor could encourage driving to the park, meaning people from outside the immediate neighborhoods would be visiting – making it less of a local space.

The comprehensive equitable development plan in tandem with millions of dollars in donations from corporations goes beyond the efforts of the other two park paths in ensuring that people are not displaced (Building 2015, O’Connell 2017). Scott Kratz has stated: “If the people who helped to shape this can’t afford to live there, then we will have failed” (O’Connell 2016).

The concern is whether the residents who live in Anacostia now will be able to remain there throughout gentrification (Evert 2015, Bogle et al. 2016). Mentioned earlier, D.C. is ranked 4th in American cities for park accessibility, so there is not a need for green space in the area (Trust for Public Land 2017). If this park does inadvertently contribute to displacement, people may question why it was chosen as a plan.

The park design functions as a unifier; the intersection of the two bridges in the center of the Anacostia River is symbolic (Building 2015). The plan’s goals to “reconnect the neighborhoods on both sides of the river” are for a social good, but also depend on an elevated park to overcome hundreds of years of segregation and separation (Building 2015). Funding for employment, housing, and recreational opportunities are extensive, but it is the park itself that planners expect to achieve this unification, which is idealistic.

The park’s features suggest it will be appealing, especially because residents influenced the design. However, the park should exist as a local space instead of an amusement center for tourists if it is going to be a bridge between Anacostia and the Navy Yard. Chicago and New York’s park see millions of visitors annually since opening, which suggests that the D.C. park will attract far more than the 43,000 DC residents located in a one-mile radius of the park (Building 2015, Bogle et al. 2016).

Nevertheless, when Jeff Speck and Jane Jacobs speak about walkability and great urban parks, respectively, they refer to neighbors and local relationships (2012, 1961). Wendell Berry stresses that people’s connection with places relies on localism, which is associated with communities and neighborly relationships (2015, 62). However, this park project has already received so much national attention that it is unlikely to remain just a community park between the two neighborhoods (Hui 2017, The High Line Network 2017). Becoming a focal point for tourists is not necessarily bad for the park’s identity, but it will possibly fail to create the localism that “provides territor[y] that people can relate to, and interact with” (Lerner 2010, 190).

The analysis of the two existing park paths in comparison to the progress

on the 11th Street Bridge Park does show that the latter case is far more equipped to prevent displacement than the former two. The park has borders between its entrances on the Navy Yard and Anacostia sides, is not located near (under a mile) metro stops, is located next to noisy automobile bridges, and is being built during the beginning stages of gentrification in Anacostia. The first of these issues can be ameliorated, but the other three cannot. Because the Park will not be located within residential communities, people may drive to it and others may be less inclined to.

Even with the comprehensive equitable programming in place, it is unlikely every resident in Anacostia will be able to afford the costs of living five to ten years from now. The Navy Yard and Anacostia will continue to become more expensive. The 11th Street Bridge Park will transform into a public space for joint community use, but the neighborhood composition will change as Southeast D.C. continues to gentrify.

Conclusion

America's economy requires development in order for institutions to survive. It is not only capitalism, but the notion of American that encourages people to build, change, and improve the spaces in which we exist. However, these improvements do not occur evenly. The racial and economic inequality within our nation's capital reflect the consequences of a system that does not offer equal opportunities (Tatian 2017, Maher 2015).

Yet, there is great hope in parks and other public spaces because they offer individuals the potential to act as engaged citizens. The works of Wendell Berry, Jane Jacobs, and Thomas Jefferson remind us how local connection to specific places foster democratic spirit. Hannah Arendt emphasized the need for public participation beyond voting every two or four years in elections. People need public spaces that encourage them to deliberate and debate (Arendt 1963, 255). Meridian Hill Park became Malcolm X Park throughout the 1960s because it served as a meeting space for organizers. Renaming the park after a civil rights leader shows the importance of community voice in shaping spaces' identities (Low et al. 2005). When the park became notorious for crime in the 1990s, the community turned it back into a usable space. While the neighborhood near the park underwent gentrification, the space remains home to weekly drum circles and diverse visitors (Cox 2015). Perhaps the 11th Street Bridge will also become a heart of the community, but it will require the residents, not large donors or organizations, to nurture it.

However, the risk of displacement for lower income residents near parks



is a concern. Yet Jane Jacobs points out we should not avoid building these large parks, but rather “recognize that they are mixed blessings. If we can counter their destructive effects, these facilities will themselves be better served” (1961, 265). The 11th Street Bridge Park’s activities, outreach, and equitable plan are counters to the risks that large structures pose.

This study looks at methods planners use to avoid displacement. The focus on equity throughout the project must be emulated in the future construction of park paths. The millions of dollars set aside for equitable growth suggests the park will allow residents to foster community, but the patterns of gentrification in D.C. are a warning sign. In cities across the United States, those displaced from gentrified areas are frequently Black (Fullilove 2004, Hyra 2017). When people are forced to move they lose parts of their identities. As Dr. Fullilove poignantly puts, “human communities, like the tree, cannot produce their ‘crown’ without the massive network of connections that move nourishment from the earth to the entire organism of the group” (2004, 191).

Limitations and Future Research

Because this paper was completed in the spring of 2018, I was unable to analyze the park in its final form. There should be ethnographies and surveys completed. Long-term research must be conducted on the park and its visitor base through surveys in order to obtain unbiased evidence on who is using the space.

Another limitation is comparing three parks in different cities because each neighborhood is unique. However, all of these cases are function within urban spaces. Other park paths are being built across the country, several of which are part of “The High Line Network,” an organization that “is a group of infrastructure reuse projects” in cities States (2017). My study included the demographics and inequalities present in the cases used to articulate how these projects affect the neighborhoods in which they were built.

Researchers must continue to study park paths. While longitudinal and ethnographic studies require extensive resources, they show transformations of public space. Scholars must analyze the effectiveness of programs attempting to alleviate gentrification’s negative outcomes (Logan and Molotch 2007). Because these park path projects can contribute to the increased cost of living in neighborhoods and displacement, planners and citizens ought to know what makes a city truly whole (Building 2015).

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LICENSE TO CHILL: JAMES BOND AND DÉTENTE IN FILM

Jennifer Roberts

Abstract

The following paper aims to investigate how the détente period from 1963-1979 was portrayed in film. Détente as a policy significantly contributed to the ending of the Cold War, for it opened avenues of dialogue previously not available between the United States and Soviet Union. However, how the average person experienced détente or whether or not the policy impacted citizens lives at all is up for debate. This paper utilizes film as a unit of popular culture to understand détente's role in everyday life in the United States between 1963 and 1979. This paper specifically investigates James Bond films because of their creation during détente, their ongoing series nature, their inclusive rating system, as well their role as insights into the geopolitical landscape.

Background

On June 10, 1963, President John F. Kennedy addressed American University's graduating class. In a speech entitled "A Strategy of Peace," Kennedy warned of the dangers of current U.S. foreign policy towards the Soviet Union, highlighting that tensions between the two superpowers had already demonstrated their potential to destroy the world during the Cuban Missile Crisis (Kennedy, 1963). "A Strategy of Peace" would later come to be recognized as turning-point moment in the U.S. foreign policy approach of détente, leading to an evolution in the pursuit of such policy.

Détente has been largely defined as the "the relaxation of strained relations or tensions [as between countries]" (*Merriam-Webster Dictionary* s.v. détente). Author Jussi Hanhimaki, in his book *The Rise and Fall of Détente: American Foreign Policy and the Transformation of the Cold War*, found that détente was applied to U.S.-Soviet relations between the years of 1963 through 1979 (Hanhimaki, 2013). While détente was prevalent in many

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larger geopolitical moves, such as the signing of sweeping treaties such as SALT I or the Helsinki Final Act, the degree to which détente influence popular culture has not been thoroughly analyzed.

Introduction

Considering how détente was represented in popular culture is essential because popular culture, including mediums such as film, literature, art work, and more, offers insight into the general view of the populace on any given issue, while policy is often reflective of government attitudes. Therefore, this paper analyzes one of the most popular film series to date— James Bond, which was conceptualized and produced during the Cold War period and still runs to this day, to gain a better understanding of how détente was presented in films released at the time.

While previous scholarship has discussed how the James Bond films displayed geopolitical trends of the Cold War, research and analysis is lacking regarding the potential influence of détente on the development of the James Bond film franchise. Preceding scholarship further lacks analysis of individual films. Therefore, this paper will analyze individual Bond films between the years 1962-1981 and use détente as a lens to measure the influence of the policy on plot, character development, and dialogue within the Bond series. Finally, this paper will contemplate whether the James Bond film series followed general film trends of the 1960s and 1970s or whether the series was an exception to the status quo in its portrayal of détente.

Explanation of Film Selection

The James Bond saga was selected for analysis in this paper because of its timeliness of in accordance with the United States foreign policy transition into détente ("Bond Films in Order of Release", 2015). The James Bond series was also chosen because of its ongoing nature, meaning that the franchise consistently produced Bond films between the détente years of 1963-1980 ("Bond Films in Order of Release", 2015). While other films of similar subject matter and genre exist, Bond holds the unique position of being the longest running film series within the genre. As a result, analysis on the plots, characters, and rhetoric over a period of time can provide more well-rounded perspective into détente's role in popular culture. Additionally, it is important to note that the James Bond films follow a "basic formula which remains remarkably consistent throughout the series" (Chapman 2000, 19). This is significant because it permits a consistent examination of the Bond films and how détente is displayed within them.



On top of the franchise's ongoing series nature, I selected the James Bond series because of its inclusive rating system. From the détente years of 1962-1983 every Bond film was given a PG rating (Chapman 2000,19). This meant that the films reached a large general audience of a wide range of ages. On top of the wide range of ages the Bond franchise touched, they also extended viewership to a plethora of countries. According to author of *The Politics of James Bond: From Fleming's Novels to the Big Screen* Jeremy Black, "half the world's population has seen a Bond film" (Black 2001, xiii). As a result, the Bond films offer perspective into important political moments that occurred during détente internationally.

The James Bond films were also selected because of their significant to geopolitics and culture. Author Dinitia Smith in her article "James Bond, Then to Now: Agent of Cultural Change" comments on how James Bond films served as commentaries on these elements, "the primary ideological and cultural coordinates within which the figure of Bond has functioned have been, first, representative of relations between West and East" (Smith 1998). Therefore, due to the subject matter of Bond franchise, and the role that they serve as commentaries on geopolitics, they are essential to analyze as historical pieces.

More specifically regarding film selection, the Bond films chosen for this paper are inclusive of the twelve films released between the years of 1962-1981. I have identified détente as occurring between the years of 1963-1980, beginning with the speech Kennedy gave at American University in 1963, and ending with the Soviet invasion of Afghanistan in 1979 (Hanhimaki, 2013). As a result, I started my film selection in 1962 with *Dr. No* because it was the first Bond film produced, and I end my film selection in 1981 with *For Your Eyes Only*, because 1979 was for many the end of the détente years (Hanhimaki, 2013). *For Your Eyes Only*, was written and shot during the end of détente and can provide insight into the final years of this policy. Finally, I will briefly touch on *Octopussy*, which was released in 1983 to draw a comparison to the Bond films made during the détente years and films made immediately following the ending of détente.

Does Bond Apply to American-Soviet Détente?

When considering these questions, it is important to address that some may argue that James Bond is a British character, created by a British author, and he, therefore, cannot offer insight into the American-Soviet relationship. However, I argue that the James Bond series can mirror an American perspective because throughout the films Bond frequently works with American CIA agent Felix Leiter. Although Leiter is not in every film, a vast majority of the films selected demonstrate the breadth of American intelligence. Black supports this point when

he states, "support for the United States [was], central to British policy during the Cold War, is important to Bond's role" (Black 2001, 94).

Furthermore, James Bond series was adopted by American culture. Black declares that the James Bond films "were an important aspect of post-war popular culture, not only in Britain but also more generally, particularly after the Americans created and financed the films" (Black 2001, 30). Bond being embraced by American culture is further highlighted by the love President Kennedy had for the films. Specifically, according to author Klaus Dodds in his article entitled "Screening Geopolitics: James Bond and the Early Cold War Films (1962-1967)", "shortly after its official U.S. release, President Kennedy arranged for a private showing of the film *Dr. No* in the White House" (Dodds, 2006). Therefore, the movies ability to reach the peak of American power shows the reach of its influence and its entrenchment in American culture. Additionally, Kennedy may not have been as public for his love of Bond if the plot of the films did not correspond with foreign policy objectives of the United States, including détente.

Further contributing to the point that the James Bond series can reflect U.S.-Soviet détente, Black elaborates that all Bond films, except *Never Say Never*, which is not included in the scope of this paper, "were the work of the same production company, Eon Productions, established by Broccoli and Saltzman... Broccoli was American and Saltzman was Canadian" (Black 2001, 103). Dodds continues to expand on the role of American money within the franchise. He remarks that even from the beginning of the franchise, Bond films were "financed by an American major partly with British film subsidy funds" (Dodds, 2006). Due to American influence through characters in the Bond films, American role in production, and the adoption of James Bond as a cultural phenomenon within the United States, the James Bond film series follows a British character, but an American perspective.

From Novels to Film: James Bond as an Insight into Détente

When analyzing the influence of détente on Bond, it is essential to ponder how the Bond series changed from the printed to the visual form. Noah Lewis in his article entitled "Shaken not Stirred: The Cold War Politics of James Bond, From Novel to Film" reflects on the contrast that exists between the novels and films. James Bond in the books, which were written prior to the détente period, was hypercritical of the Soviets. During détente, the plots of Bond films were adapted to be friendlier towards the Soviets. Lewis highlights some of these alterations, "the first major change adapted in the films was the switch from the Soviet conspiracy SMERSH to SPECTRE" (Lewis 2018, 7). While SMERSH was a Soviet operated



organization, SPECTRE was a transnational criminal organization that was politically neutral. Lewis continues to elaborate about alterations made to the film as a result of evolving geopolitical views during détente. He states, “in the novels, Fleming typically cast his villains as agents who work either directly or indirectly for the Soviet government” (Lewis 2018, 6). However, in the films released during détente, the antagonists were either independent actors or members of politically neutral crime organizations. This shows that changing attitudes towards the Soviets during détente influenced character development within the franchise.

Accompanying the contributions Lewis makes, Thomas Price, author of “The Changing Image of the Soviet’s in the Bond Saga: From Bond Villains to ‘Acceptable Role Partners” expands on the different role the Soviets play from novel to film. Price states that in the books of the 1950s, Bond “confronts the deeper conspiracy the Russian’s represent— a worldwide communist revolution” (Price 1992, 27). During the early 1950s, when the first Bond novel was published, the Red Scare fostered an environment of fear and infiltrated numerous aspects of society—including popular culture (“Red Scare”, 2010). However, many of the James Bond films that began production in the early 1960s shied away from the role that the Soviets play as villains. Black emphasizes this, commenting that Fleming’s “strong pessimism was largely ignored in the films” (Black 2001, 95). In fact, the films often demonstrated that collaboration between East and West was possible when the two factions put aside ideology and found common ground. Black supports this claim when he states, “the films were to follow through on this theme, increasingly emphasizing East-West shared interests and cooperation” (Black 2001, 95-96). Cooperation between East and West shown in the Bond films parallels with the core principles of détente.

Bond further reflects principles of détente through his alliances in the films. As Black states, “the widening circle of Bond’s allies eventually extends to include the Soviets. Common threats may lead to political cooperation with the West” (Black 2001, 100). In some Bond films, such as *From Russia with Love* and *The Spy Who Loved Me*, Bond works together with Soviet characters to defeat the enemy, not unlike the ways in which détente created a platform between the United States and the Soviet Union that allowed them to work towards mutual goals.

Film Analysis

The following subsections analyze every James Bond film from 1962-1981 in order to gain perspective on how détente is demonstrated in each film. In order to do so, I will be focusing on the Narrative Structure Analysis of film,

which concentrates on elements of the plot structure and character development ("Film Analysis", n.d.). Plots will be examined through their story arcs. Character development will be analyzed through who the antagonists are, who Bond is working with, and how the characters interact, whether it be positive or negative experiences. Additionally, I will observe exchanges of dialogue in order to gain a deeper understanding of character. Analysis will further use a contextual approach and situate the film within its cultural and historical context (Jacobs n.d., 3-4). Finally, I will comparatively analyze the plot, characters, and dialogue of the Bond films to other films being produced during detente to determine if Bond is unique or part of a larger trend.

Dr. No (1962)

Dr. No, the film that introduced the Bond franchise, presented the changing geopolitical landscape following the Cuban Missile Crisis and foreshadowed some of the various issues' détente would tackle. According to Lewis, this was demonstrated through changes made to the antagonist Dr. No, "just prior to the release of the first Bond film *Dr. No* in 1962, public opinion of the Soviet communist threat began to change... it became clear to the producers that it would be difficult to justify the Soviets as the 'heavies' at the heart of the conspiracy" (Lewis 2018, 8). As a result, the plot of the film established Dr. No, a Chinese man, as the main antagonist as well as showed the Chinese as a nuclear hazard that needed to be dealt with (*Dr. No*, 1962). The creation of a Chinese antagonist contributes towards a larger commentary surrounding relations between Western powers and China during the 1960s, and feeds into the fear of communist proliferation that existed since the end of WWII (Lindsey 1961, 53). It also provides insight into the impact of the Sino-Soviet split, which officially broke in 1960 ("Sino-Soviet Split", 2013). Due to the split, the communist front was divided ideologically for the first time since the beginning of the Cold War, such that Nixon and Kissinger later opened China and pursued a relationship with the country (Pye 1972, 97).

Dr. No also contributes valuable insight into the dangers of the Cold War. In a standoff between James Bond and Dr. No at the end of the film, the characters discuss the ideological differences between East and West. Bond commences this conversation when he negatively claims to Dr. No, "with your regard for human life, you must be working for the East" (*Dr. No*, 1962). Dr. No responds with, "East, West, just points of the compass each as stupid as the other" (*Dr. No*, 1962). This exchange implies that Dr. No is working his own entity, rather than for one of the two schools of thought. This exchange also suggests that the Chinese role in the world had yet to be established, and China was acting as a new communist entity with an unpredictable future according to the writers. This sentiment of



volatility is echoed in the National Cold War Exhibit's summary of the Sino-Soviet split, which highlights the fears the international community experienced due to the uncertainty arising from China ("Sino-Soviet Split", 2013). While states were prepared to deal with a unified communist bloc, a divided entity posed a challenge to foreign policy makers.

Additionally, this conversation between Bond and Dr. No proposes that there is an underlying absurdity that exists within the ideologies of communism and democracy, which were currently seeking to dominate the world order. Bond retorts that individuals exploit the division between communism and democracy in order to gain power and influence for themselves. He states, "world domination – that same old dream. Our asylums are full of people who think they are Napoleon or God" (*Dr. No*, 1962). Dr. No implies that the world is too distracted with the Cold War and this allows other actors to cause tangible harm.

Additionally, *Dr. No* tackles issues surrounding nuclear proliferation. Black comments, "through its cunning connection to the space and nuclear arms races of the Cold War, *Dr. No*'s storyline resonated with Western fears, especially among the American audience" (Black, 2001). This film also parallels with the ideas that were to be echoed in Kennedy's speech at American University a month following the film's release that would lead to the establishment of détente; the Cuban Missile Crisis almost lead the world into a nuclear holocaust and eliminated life on earth, and something needed to change to prevent something like the crisis from happening in the future. As a result, *Dr. No* serves as an excellent introduction into what issues détente would have to confront in order to ease tensions throughout the world.

From Russia with Love (1963)

The second film in the James Bond series, *From Russia with Love*, is the first film released following the beginning of détente. While Dr. No offered insight into the changing geopolitical landscape following the aftermath of the Cuban Missile Crisis and the Sino-Soviet Split, *From Russia with Love* marks improvements in the U.S.-Soviet relationship following these events.

From Russia with Love indirectly calms the pressurized relationship that existed between East and West and suggests that détente is achievable. This is demonstrated within the plot of the film. In *From Russia with Love*, Bond believes he is gathering a decoder from a defected Russian agent named Tatiana, who works in the Istanbul embassy. However, Tatiana believes she is working on an intelligence mission for the U.S.S.R. In reality, SPECTRE, the international criminal organization that is Bond's common enemy throughout the series, establishes a scheme to play the British and the Russians against each other (*From Russia with*

Love, 1963). Similar to Dr. No's motivations, SPECTRE's goal is to escalate the Cold War to gain more clients for themselves. Number Three in SPECTRE emulates this when she says, "who can the Russians suspect but the British? The Cold War in Istanbul will not remain cold very much longer" (*From Russia with Love*, 1963). However, once the plot from SPECTRE is uncovered by Bond and Tatiana, the agents work together against a mutual enemy.

The concept of working together towards a mutual goal was unprecedented during the Cold War before the period of détente. Therefore, the plot of *From Russia with Love* through the working relationship between Bond and Tatiana reflects how détente created a platform in which the East and West could work towards reducing tensions.

Goldfinger (1964) and On Her Majesty's Secret Service (1969)

Transitioning away from the narrative of cooperation between East and West, *Goldfinger* represents the important relationship that exists between the Americans and the British. It is important to note that while the British are the main protagonists in many Bond films, the importance of an Anglo-American partnership is at the forefront of the Bond franchise. For example, in *Goldfinger*, while Bond does the hard work, the Americans are the ones who save the world from the nuclear bomb. As a result, *Goldfinger* solidifies the activeness of the relationship.

The main plot of *Goldfinger* surrounds the antagonist, Goldfinger, and his desire to destroy the world economy by flooding it with gold. This plotline is also like the plot of the sixth Bond film, *On Her Majesty's Secret Service*, in which Blofeld is trying to destabilize the world economy. Specifically, Blofeld (or Number One), who is the leader of SPECTRE, states that his mission is to, "control or destroy the world's economy" (*On Her Majesty's Secret Service*, 1969). In the context of détente, these two films represent a shift from dealing with nuclear threats to socio-economic ones. But this does not mean that the movies are without Cold War-era implications. The commentaries that both *Goldfinger* and *On Her Majesty's Secret Service* contribute via their plots are that attacks on the world economy are also attacks on the capitalist system. It is important to note that détente was a period of relaxed tensions; it was not a ceasefire between the U.S.S.R and the U.S. As a result, both *Goldfinger* and *On Her Majesty's Secret Service* highlight the importance of expanding the horizon of détente to other areas of contention rather than focusing solely on nuclear issues

Thunderball (1965)

The fourth film in the James Bond Series follows Bond's mission to track down nuclear weapons that have been taken by SPECTRE in order to hold NATO hostage in exchange for a ransom (*Thunderball*, 1965). The trope of nuclear weapons has been well established in the Bond film series thus far. However, SPECTRE is not just holding a government hostage, but rather a large part of the Western world by targeting NATO, which at the time had 15 members ("Member Countries", 2018). As a result, *Thunderball* directs attention towards larger organizational threats rather than bi-polar ones that dominated foreign policy of the United States prior to détente.

By the mid-1960s questions of NATO's stability were arising. The same year *Thunderball* was released, Charles de Gaulle had announced that by 1969, France would withdraw from NATO's integrated command structure ("NATO Update: 1965", 2001). NATO was also struggling over defense issues surrounding Turkey, as briefly addressed in *From Russia with Love*. Polls conducted by The Public Opinion Quarterly asked citizens of various NATO member states about France's desire to leave NATO on the condition that they be let back in if they wanted (Erskine, 1969). Other polls identified the fractures within NATO as a reason to create a new security alliance that included Russia. Prior to détente, questions of Russian inclusion within security alliances was unheard of.

When analyzing *Thunderball* through the perspective of representing détente, it is essential to consider these sentiments. The plot of the film does not focus on the rivalry between NATO and the Warsaw Pact, but rather highlights internal NATO issues. Therefore, *Thunderball* presents NATO as a collective susceptible to outside tampering because of internal conflict. *Thunderball* also serves as a commentary on nations that would rather focus on perceived external threats than real internal issues. This shift in thought illuminates how détente created a platform for states to focus on internal issues

You Only Live Twice (1967)

By the late 1960s, the space race and nuclear defense systems became evolved mediums for U.S.-Soviet competition. *You Only Live Twice* highlights the pressure the superpowers experienced due to the structure of their nuclear systems, which was to "[destroy] the nuclear strength of its opponents before they could act- thus encouraged first-strike plans" (Black 2001, 123). The hair-trigger alert system of the 1960s encouraged an act-first think-later system between the Americans and the Soviets. This allowed tensions to escalate swiftly and potential avenues for dialogue to be ignored. In the opening scene of the film, this pressurized system gets put to the test when an American NASA spacecraft is consumed by an

unidentified space-ship. The Americans jump to conclusions, accuse the Russians of hijacking their spacecraft, and begin hurling accusations. One American general angrily states, "any interference with this space-ship will be regarded as an act of war" (*You Only Live Twice*, 1967). As the Soviets and Americans fight, a British commander attempts to defuse the situation by deploying Bond to investigate.

As *You Only Live Twice* progresses, friction between the Americans and Soviets continues to escalate. One of the Russia's space crafts is seized by the unidentified spaceship and the Russian blame the Americans. Towards the end of the film, both parties are on high alert and ready to take up arms. One American general orders the arming of all American nuclear weapons, barking "order first alert arm all weapons" (*You Only Live Twice*, 1967). The first alert system is the highest and closest command a military officer can give regarding nuclear weapons ("Frequently Asked Questions about Taking Nuclear Weapons off Hair-Trigger Alert", 2015). Despite the militaries of the United States and the Soviet Union fighting, Bond saves the captured individuals, and both Russian and American astronauts work together to stop the unidentified spaceship, which was located in Japan (*You Only Live Twice*, 1967). Similar to plots of *Dr. No* and *From Russia with Love*, *You Only Live Twice* explores how ideological war on a worldwide scale allows for third party actors to interfere without suspicion, as the two feuding sides quickly blame each other.

Furthermore, *You Only Live Twice* offers a critique of escalated military control. The military commanders within *You Only Live Twice* are juxtaposed with the civilians in the film, who are willing to work together towards a common goal, just like they did in *From Russia with Love*. As a result, *You Only Live Twice* demonstrates how and why détente is needed and highlights the benefits that come from reduced military tension as well as a reduction of nuclear arsenals. Finally, *You Only Live Twice* stresses how détente must include the average person. Without average people experiencing and working towards détente, détente's success as a policy stagnates

Diamonds are Forever (1971)

Like *You Only Live Twice*, the 1971 film *Diamonds are Forever*, reflects on nuclear weapons and the military industrial complex. By 1971 détente still had not comprehensibly addressed the threat of nuclear weapons, as was evident in their dangerous presence in *You Only Live Twice*. *Diamonds are Forever*, as a result, continues the narrative regarding the threat of nuclear holocaust hovering over geopolitics.

In the film, Blofeld stresses how important nuclear hegemony was to the world when he connects the relationship between nuclear weapons and power,

supremacy, and legitimacy. Blofeld states that his mission to disrupt the world is to sell, “nuclear supremacy...to the highest bidder” (*Diamonds are Forever*, 1971). This plan suggests that nuclear proliferation for the superpowers could lead to a loss of power and legitimacy internationally because it would allow other actors to have a larger say in geopolitical issues. Blofeld exploits this fear by threatening to nuclearize other countries. He states, “nuclear powers like all bullies can only be intimidated by force” (*Diamonds are Forever*, 1971). Before détente, the prevailing philosophy was that a country that stockpiled nuclear weapons was one that also increased its internal stability; however, as détente developed under Nixon, it became increasingly obvious that these same countries were exchanging internal stability for global insecurity. Blofeld’s statement reflects this global insecurity, as nuclear weapons grant a country equal authority with other nuclear states and supremacy over non-nuclear states. Because of this shift in thought, détente allowed the United States and the Soviet Union to reduce nuclear weapons and focus on finding common ground through cultural exchanges by the early 1970s.

Additionally, *Diamonds are Forever* shows how détente had improved U.S.-Soviet communication. The radio broadcaster in the film alerts to the public that, “the United States and the Soviet Union have assured each other over the hotline that no offensive action has been taken by either nation” (*Diamonds are Forever*, 1971). This increased level of communication demonstrates how the superpowers actively worked together to resolve issues of nuclear contention, which was impossible prior to détente. Following the film release in 1971, nuclear arms treaties begin to emerge. For example, in 1972 SALT I was signed (“Richard Nixon and Leonid Brezhnev Sign the SALT I Treaty ca. 1972, 1972”). As a result of increased communication and nuclear arms treaties, nuclear proliferation and the military industrial complex begin to dwindle in importance to the superpowers and détente had made significant strides in reducing tensions.

The Man with the Golden Gun (1974)

By the time Roger Moore took over the James Bond role in 1973, détente had accomplished many feats. For example, Nixon had already visited Moscow and fostered a working relationship with Brezhnev (“Détente”, 2018). However, *The Man with the Golden Gun* is the first film that follows Watergate and the resignation of Richard Nixon, the spearhead of expanding détente (“Nixon Resigns 08/09/74”, 2008). Similar to the uncertainty emerging from the U.S., *The Man with the Golden Gun* somewhat demonstrates a wavering perspective on détente. For the first time within the Bond film franchise, someone with previous ties to Russian intelligence is the antagonist. While *From Russia with Love* involves Russians as villains, as demonstrated through the role of Number

Three, SPECTRE, an apolitical organization, is the main antagonist. As a result, Number Three does not represent the average Russian, but rather a rogue villain in a criminal enterprise.

The Man with the Golden Gun marks a return to a communist foe, but one that is perceived as such by supporting characters and not by the audience. In the film, the antagonist Scaramanga was recruited by the KGB but later became an independent actor. However, despite his freedom from the U.S.S.R., him being of Russian descent is important to characters in the film. For example, Sheriff J.W. Pepper of the Louisiana State Police, a satirical character, runs into Bond while on vacation in China. Pepper deduces that Bond is after bad guys and makes an assuming that person must be a communist. J.W. Pepper screams, "you're chasing somebody... commies... let's go get them!" (*The Man with the Golden Gun*, 1974). J.W. Pepper's character wants to hunt down "somebody" without knowing who they are because he believes that they are communist and as a result must be evil. In reality, Scaramanga is an antagonist acting independently and presents no current ties to communist ideology. Pepper's statement is indicative of just how relaxed tensions became in the 1970s because while the threat of communism still exists, it becomes faceless under détente. Author Jeremy Black also sheds light on the significance of what détente achieved in the early '70s, finding, "the threats seemed distant, remote, and far-fetched" (Black 2001, 133). Pepper demonstrates Black's idea because Pepper is chasing some distant and unknown enemy who poses no true threat.

The Spy Who Loved Me (1977)

The 10th film in the James Bond series, *The Spy Who Loved Me*, in a sense, is a quick summary of détente starting from a tense relationship to semi-cooperation. This is especially seen through the plot of the film. For example, at the beginning of *The Spy Who Loved Me*, the British and the Russians are fighting. Both a British and a Soviet submarine that have nuclear capabilities have gone missing and the British discover that the Russians have the technological capabilities to "track nuclear submarines underwater and sink them" (*The Spy Who Loved Me*, 1977). The British fear that this ability will "totally undermine western defense strategy" (*The Spy Who Loved Me*, 1977). Additionally, Bond has killed the notorious Russian Agent XXX's lover and she wants revenge (*The Spy Who Loved Me*, 1977). This tension is reflective of the world scene prior to the emergence of détente, where every action was met with retaliation.

As *The Spy Who Loved Me* continues, the British and the Russians begin to work together. A British military personnel comments, "our respective governments pull resources together to find out what happened to submarines"



(*The Spy Who Loved Me*, 1977). However, this relationship is established strictly over the deterrence of nuclear weapon proliferation and fear of nuclear war at this point of the film. As *The Spy Who Loved Me* progresses, the relationship between the British and the Soviets improves. This is demonstrated when the British government states, “we have entered a new era of Anglo-Soviet communications” (*The Spy Who Loved Me*, 1977). Despite this declaration, the relationship between the two opposing sides is still not perfect. This is illuminated within the plot when the British withhold the drive containing sensitive information from the Russian’s because they are not sure they can trust them entirely (*The Spy Who Loved Me*, 1977).

As the plot continues to unravel, tensions between the British and the Soviets relax, as highlighted in the increasingly amicable, and eventually romantic relationship that develops between Bond and XXX, who is also known as Anya Amasova. In one scene, Bond and Amasova discuss how comedic the relationship between their respective governments is. Bond comments, “silly isn’t it, we can’t talk and yet we’re in the same business”, Amasova replies, “but with rival companies”, and Bond retorts, “we’re not rivals at the moment” (*The Spy Who Loved Me*, 1977). This shift in attitude is also declared by the governments, and not just the agents that represent them. The British later on in the film comment, “Anglo-Soviet cooperation is a reality” (*The Spy Who Loved Me*, 1977). Therefore, the ever-changing relationship between the British and the Soviet’s in this film is a perfect case study of how détente evolved between the Americans and the Soviets. More specifically, the film demonstrated that while the relationship was extremely hostile at the beginning of the Cold War, through mutual goals, the Americans and the Soviets could work together in order to ease tensions between one another. *The Spy Who Loved Me* also suggests that while the relationship between the superpowers is still not perfect, it still had accomplished many feats due to détente, and the fears of nuclear holocaust that were seen in earlier Bond movies has largely dissipated.

The most important perspective emerging from *The Spy Who Loved Me* is that it is the first out of two Bond films that references détente by name. The second being *For Your Eyes Only*, which was made in 1981 and was written in the final years of détente’s life as a policy. The main antagonist within *The Spy Who Loved Me*, Stromberg, comments, “a British agent in love with a Russian agent... détente indeed” (*The Spy Who Loved Me*, 1977). While this insight into détente is not ideal because it is in reference to a love affair, it still reflects on how far these countries have come regarding their attitude towards one another at a personal level from the point they were at in *You Only Live Twice*. This shift at the personal level is one of détente’s greatest accomplishments.

For Your Eyes Only (1981)

Lastly, *For Your Eyes Only* focuses yet again about the issues of nuclear weapons. Significant parallels exist between *For Your Eyes Only* and *The Spy Who Loved Me*. Both focus on an easing of tension regarding the relationship between the British and the Soviets, as well as issues pertaining to nuclear submarines. Nuclear matters were some of the most contested issues of détente, and the progress made by countries to reduce their use is often viewed as the era's greatest accomplishment (Roberts, 2018).

The plots of *For Your Eyes Only*, as well as *The Spy Who Loved Me*, both deal with issues of British nuclear submarines being infiltrated by the Soviets. Specifically, *For Your Eyes Only* centers around the sinking of the St. George, a British nuclear submarine that was carrying a submarine nuclear system (ATAC), which when the ship was sunk, the system was not destroyed (*For Your Eyes Only*, 1981). As a result, the British feared that the Soviets could acquire the ATAC and use it against them. *For Your Eyes Only* reflects détente because although the Soviets are involved, they are not the main aggressors of the plot. Rather, the Soviets in the film mean to purchase the system rather than directly confront Bond. This shows that while the Soviet's want to work towards their own interests, aggression is no longer the primary means of negotiation (Roberts, 2018).

At the ending of the film, when General Gogol comes to collect the ATAC system, Bond throws the system off the cliff. According to Black, Gogol appears in *For Your Eyes Only* as a "warmly smiling rival, not an automatic vicious bureaucratic state" (Black 2001, 100). This is where the second direct reference to détente in the James Bond film franchise occurs. Bond states, "that's détente comrade, you can't have it and I can't have it" (*For Your Eyes Only*, 1981). After this line is recited, the General turns away from Bond and flies off accepting that the system is lost, rather than getting angry about it and retaliating against Bond (Roberts 2018). Therefore, *For Your Eyes Only* contributes an accurate perspective into the outcomes of détente when Bond comments on the policy. At its best, détente relaxed some nuclear tension and facilitated co-existence. Furthermore, détente did create an atmosphere of Bond's quotation, "you can't have it, I can't have it." Sometimes the best way to reduce conflict is to minimize points of contention and mutual restraint. Additionally, the perception of General Gogol being a rival rather than a vicious enemy suggests other ideological shifts in personal relationships as a result of détente. The ideology conveyed in *For Your Eyes Only* presents a stark difference between the duality of the early Cold War and how low tensions became of détente.

The Outliers: Live and Let Die (1973) and Moonraker (1979)

Many of the Bond films contribute significant insight into geopolitical issues occurring during détente, but a few of the Bond films are outliers. *Live and Let Die* does not focus on geopolitical implications, but rather concentrates on the mystic of the Caribbean. *Live and Let Die's* focal point is on voodoo and the allure of the “exotic Caribbean” and does not substantially contribute to détente. *Moonraker* also does not focus on geopolitics or détente. *Moonraker*, which was released in 1979, revolved around space themes due to an increase in popularity of science-fiction films as a result of the Star Wars series (“Star Wars Released, 2018). Furthermore, these films ultimately do not contribute substantially towards détente because, out of all the Bond films, they were much more closely based on Ian Fleming’s novels (Price 1992, 27). These novels did not have significant geopolitical implications relating to détente because they were written in the 1950s and, as a result, neither did their movie counterparts. Black supports this point, commenting, “the opponent in *Moonraker* was within and planning to employ new technology, Fleming’s account did not propose a politics of paranoia” (Black 2001, 19).

Therefore, while *Live and Let Die* and *Moonraker* largely omit détente policy, analysis regarding the value of the Bond franchise illustrates that the Bond series ultimately does reflect détente and geopolitical trends. Therefore, the Bond series generally is a valuable tool when analyzing popular culture during détente

Bond Films Following Détente

Some may argue that détente did not influence the plot or the direction of James Bond films or was demonstrated within the film series. However, since the collapse of the détente policy in 1980 and the reflection of détente in *For Your Eyes Only*, the preceding Bond films starkly contrasted the films that were made during the détente period. For example, the film that came after *For Your Eyes Only*, *Octopussy* (1983) follows a surprise Soviet invasion of Western Europe (Black 2001, 92). Author James Chapman elaborates on the striking difference between the Bond films during the détente period vs immediately after. He comments, “the narrative ideologies of these films marked a change in direction after the détente-themed narrative... they relocated Bond, partially at least, within the political and ideological coordinates of the Cold War” (Chapman 2000, 200). The drastic contrast of the antagonists in Bond films, as well as the subject within the plot of the films between the détente period and following the collapse of the policy, suggests that détente did influence the James Bond film franchise.

However, despite this evidence, some may question the importance of

the Bond films reflecting détente. I argue that the James Bond series reflecting détente is of significance because of the direct link between popular culture and popular opinion. A famous film series would have to appeal to its audience and pick up on trends of popular opinion in order to gain as much profits as possible. If people consuming the Bond films wanted to see conflict between Bond and the Soviet Union, the film series producers and screenwriters would respond to this change. Some may argue that the film series success could depend more on character likeability or engaging plot lines. While these elements are essential to a film's success, audiences also care about relatability to reality, especially when watching films that pull current events into their plots. The importance of political accuracy in the Bond franchise is stressed through the significant adaptations made from novel to film to make the films more politically relevant (Black 2001, 95). Therefore, due to the box office achievements of the Bond films, it can be inferred that people wanted to see films that portrayed détente and that détente was indeed experienced by the average person and was not just a government policy.

Bond as an Exception or Part of a Larger Trend

When considering the James Bond film series as reflecting détente, it is essential to ponder if the Bond franchise was an exception to the status quo, or if they fit into a larger trend occurring within popular culture. In order to do this, it is important to analyze the same type of films for comparison. Therefore, this section will examine films that are based on novels that were written before détente and were made into films during the détente period. Additionally, this section will analyze films that share the espionage/action genre.

While many famous spy novels were being made into films during détente, James Bond novels are amongst the few written before détente began. For example, popular espionage John Le Carré had a book made into a film during the 1960s. However, his novel *The Spy Who Came in From the Cold*, was published after the beginning of détente. Many other films like *Torn Curtain* (1966), *Topaz* (1969), *The Kremlin Letter* (1970), etc. were based off spy novels written before détente and cannot be included because they do not fit the same criteria as the Bond movies do.

The Ipcress File (1965) is one of a few films that fits these requirements. Its novel counterpart was originally published in 1962 and was the first film adaptation espionage author Len Deighton (Toole and Stafford, n.d.). The plot of the film closely parallels with that of the novel. *The Ipcress File* (1965) follows a series of high profile kidnappings by a man named Jay who intends to sell his victims to the Soviets (*The Ipcress File*, 1965). It is later discovered that Jay is not working alone and the protagonist's (who is not named) boss Dalby is in cahoots with Jay.

On their VIP abductees, Jay and Dalby are employing brainwashing techniques to instill loyalty to the Soviets. The antagonists attempt to frame the protagonist for undermining an American nuclear test and selling secrets to the Soviets but fail and ultimately are defeated (*The Ipcress File*, 1965). Although the antagonists are not Russian themselves, they are working to undermine Western intelligence in favor of the Soviets. Therefore, while the direct blame is not placed on the Soviets, it is implied that working towards achieving Soviet goals is criminal. Similarly, Dr. No demonstrated that binary feuds on such a global scale create the potential for third-party bad actors to interfere. But Dr. No is a politically neutral actor, while the antagonists in *The Ipcress File* work to give the Soviet an upperhand.

Ice Station Zebra (1968) is another one of these few films that was originally released as a book in 1960 by Alistair Maclean and then was adapted into a movie during détente (*Ice Station Zebra*, 1968). The plot of the film follows an Allied mission to the North Pole to rescue survivors of British weather research station disaster due to an ice storm (Adler, 1968). In *Ice Station Zebra*, British commanders work with a Russian defector Boris Vaslov. However, despite some level of cooperation, the Russian's still cause significant trouble for the British within the plot of the film. Specifically, the Russian's convolute the British rescue mission because on one hand, while they work with the British and Americans over some issues, they are not willing to cross a certain line and surrender, what they believe to be, significant intelligence (*Ice Station Zebra*, 1968). The plot of the novel contrasts significantly from the 1968 movie. The novel *Ice Station Zebra* is far harsher on the Russians. The novel portrays a zero sum game where the success of the British is synonymous with the failure of the Russians. This is unlike the film version in which there exists some level of cooperation between the British, Americans, and the Russians where all parties benefit albeit to unequal degrees.

While it is evident when comparing the Bond franchise and *Ice Station Zebra* that while some level of Western-Eastern cooperation is achievable, the extent to which cooperation exists varies. Bond films *From Russia with Love* (1963) and *The Spy Who Loved Me* (1977) both show that some Soviets pushback is inevitable, but all in all the two nations may find common ground to realize their agendas. *Ice Station Zebra* suggests that there are few and far opportunities to work with the Soviets. Meaning that, while some Soviets are good, most are bad. *The Ipcress File* presents a narrative that the Soviets are manipulative. Despite the Soviet government not being involved in the film, the antagonists support communist ideology and actively work to undermine the West. Cooperation between West and East in *Ipcress File* is virtually non-existent. Therefore, it can be concluded that, when comparing the Bond film franchise to films like *The Ipcress File* and *Ice Station Zebra*, the Bond series is more reflective of détente and is

friendlier towards the Soviets. While Bond movies could fit into a larger trend occurring in film culture, they are unique in the extent they are willing to relax the U.S.-Soviet relationship.

Conclusion

The James Bond film franchise reflected détente, or at the very least, was influenced by the policy. Individual analysis of every James Bond film released between the years of 1962-1981 demonstrates the policy, starting with *Dr. No* and finishing with *For Your Eyes Only*. More specifically, détente was exhibited in the series via the plot, character development, or dialogue. Further proving that détente influenced the Bond saga was the stark contrast that existed between the narrative and plot of James Bond films following the end of détente in 1980. Octopussy presented a strong anti-Soviet narrative and was more reflective of a new stage in Cold War tensions between the United States and the Soviet Union. This paper also established that while James Bond was a part of a general trend of détente within film, it was more distinctive than in other espionage novels adapted into films during the time, like *Ice Station Zebra*. Because of the unique geopolitical insights that the James Bond film series offered, it can be concluded that the average person was aware of détente and in favor of the policy, largely due to the assertion that popular culture echoes public opinion.

Looking forward, further research can investigate the transition between the détente years and the Reagan years more closely in order to gain a deeper understanding about how Bond films progressed and adapted to popular opinion as well as reflected geopolitical tensions in the 1980s onwards. Because the Bond franchise continues today, another interesting angle for further research would be investigating whether more modern James Bond films highlight current geopolitical tensions, or whether the films have ceased to follow politics since the end of the Cold War.



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THE MAKING OF AN ILLIBERAL DEMOCRACY: THE CASE OF HUNGARY

Noah Higgins

Abstract

This paper investigates democratic decline in modern Hungary. In recent years this type of decline has become more common and thus, understanding the factors that drive it is critical. This paper draws on scholarship on nationalism, economic decline, and regime legitimacy and utilizes a process tracing methodology to gain a nuanced understanding of how variables outlined in the scholarship interacted with one another in the process that resulted in Hungary's slide away from democracy. This paper hypothesizes that economic decline created the conditions for political change within Hungary while nationalism, a decline in support for liberal values, and the appeal of alternative systems of governance were key antecedent conditions determining the illiberal form of that change. It finds that the data supported the idea of economic decline creating the conditions for political change but that that change was driven by rising nationalistic sentiment and the appeal that alternative systems of governance had for the political elite. The evidence does not support a decline in support for liberal values or popular level appeal for alternative systems of governance having a role in Hungary's democratic decline.

Introduction

In his infamous 1989 article *The End of History?*, Francis Fukuyama wrote "what we may be witnessing is not just the end of the Cold War, or the passing of a particular period of post-war history, but the end of history as such: that is, the endpoint of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government" (Fukuyama 1989, 4). While the sentiment expressed in this quote is now often a target of mockery and derision in the international relations community, in the initial aftermath of publication Fukuyama appeared to be vindicated by world events. Later that year, the Berlin Wall fell, and former

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Warsaw bloc countries started replacing their Communist governments with liberal democratic reformers. A few short years after that, the Soviet Union itself collapsed and many of its successor states, including Russia, started their own transitions toward liberal democracy. While the liberalizing effects of the end of the Cold War were most acutely felt in Central and Eastern Europe, democracy advanced worldwide as authoritarian regimes that had previously been propped up by the United States or Soviet Union crumbled as their patrons abandoned them. Indeed, democracy seemed to be the triumphant wave of the future and, while authoritarian regimes still existed, there were increasingly fewer and fewer of them. Given this political landscape, Fukuyama's bold statement seemed quite accurate. However, between the supposed global triumph of democracy in the 1990s and the present day, something changed. This project seeks to investigate the causes of that change.

The change alluded to above is the reversal of the rapid democratic expansion of the 1990s in the 2000s. In their 2018 Report on Freedom in the World, Freedom House noted that 2017 marked the twelfth consecutive year in which the level of democracy in the world declined ("Freedom in the World 2018," January 13, 2018 1). This report was also notable because, unlike in past years of democratic decline, in 2017 these declines were concentrated in established liberal democracies ("Freedom in the World 2018," January 13, 2018, 44). A few prominent examples of established democracies experiencing severe democratic decline are Venezuela, Poland, Hungary, Turkey, and the Philippines. Of these, Poland and Hungary are especially interesting as they represent ground zero of the wave of liberalism that accompanied the end of the Cold War and are both members of the European Union, which is partly an attempt to entrench European democracy ("Article 10," accessed January 26, 2018). Furthermore, the election of Donald Trump as President of the United States, despite his own well documented authoritarian tendencies, has also brought the issue of democratic decline in liberal democracies to the forefront of public discourse (Hamid 2016, 3). This paper studies the rising illiberalism in formerly established democracies like Hungary to understand why a liberal democracy evolves into an illiberal regime in order to better understand what can be done to prevent democratic backsliding (Booth 2016). More explicitly, it seeks to answer the question "what explains Hungary's transition from a liberal democracy to an illiberal state?"

The importance of the answer to this question cannot be overstated. If humanity has not reached the endpoint in its political development, as Fukuyama posited, then liberal democracy is still vulnerable to challenges from alternative systems of governance. The implication of this reality is that all the gains the world has derived from the ascension of liberal democracy: unprecedented freedom,



peace, and prosperity, are all also at risk. The risks are especially resonant in Europe, which was the epicenter of epic struggles between liberal democracy and authoritarianism, first in the form of the despotism of Imperial Germany and later the Fascism of Hitler's Germany and Mussolini's Italy. Tens of millions died in a noxious concoction of illiberalism and nationalism.

Across Europe today, nationalist parties are on the rise and certain nations in Eastern and Central Europe, such as Hungary, have made strong turns towards illiberalism. On the eve of World War I, British Foreign Secretary Sir Edward Grey remarked that "the lamps are going out all over Europe, we shall not see them lit again in our lifetime" (Grey 1925). While it is doubtful that Europe stands on the brink of another world war, the lamps of democracy lit in Eastern Europe in 1989 are going out and I seek to find out why.

In order to discover the answer to this question I will be utilizing small-n analysis. Prior to engaging in this analysis, there will be a literature review that seeks to define liberal democracy and explore some of the many reasons for its decline posited in the academic literature. Included among these are the geopolitical school (Kagan 2015), the domestic policy failure school (Fukuyama 2013), and the school of thought emphasizing the relationship between nationalism and democracy (Bingol 2004). The literature review will also contain a brief section on the history of Hungary with a focus on the arrival of democracy in Hungary post-1989. Finally, there will be a conclusions section to discuss the implications of my findings.

Literature Review

Defining Liberal Democracy

The first step in analyzing democratic decline is to define "liberal democracy." In its attempts to measure freedom in the world, Freedom House, a respected non-governmental organization focused on researching democracy worldwide, is highly dependent on the United Nations Declaration of Human Rights in determining its methodology ("Methodology: Freedom in the World 2017," January 24, 2017). This metric is widely accepted by the academic community, though there are alternative metrics of measuring a state's level of liberal democracy. Included in the United Nations Declaration of Human Rights are civil liberties such as freedom of speech, freedom of assembly, and equal treatment before the law as well as political rights such as the right of citizens to have a role in their governance ("Universal Declaration of Human Rights," December 10, 1948). Both civil and political rights are equally important to the definition of liberal democracy, which means that democracy is about more than just holding elections. One effect of a liberal democracy's respect for the political and civil rights of its citizens is that

liberal democracies tend to be pluralistic. Indeed, pluralism is also considered an essential element of liberal democracy which is what makes populism, a method of politics that is fundamentally anti-pluralist, anti-democratic (Müller 2016, 82). In summation, liberal democracy is defined by three overarching principles: civil liberties, political representation, and pluralism.

The recent decline in liberal democracy has produced a wealth of recent scholarship. Some scholars point to changing geopolitical realities as the reason for the authoritarian resurgence (Kagan 2015). Others instead focus on theories of regime legitimacy in relation to the performance of democratic governments (Burnell 2006). There are also scholars who emphasize the relationship between the level of nationalism and liberal democracy within a society (Bingol 2004). These differing focuses form the basis of three schools of thought on democratic decline: the geopolitical school, the domestic policy failure school, and the nationalism school.

A Short History of Hungary

Hungary first emerged as a distinct political unit in the Middle Ages as the Kingdom of Hungary. After the disastrous Battle of Mohács in 1526, that kingdom ceased to exist, and Hungary was divided up between the Ottoman Turks, the victors of Mohács, and the Austrian Hapsburgs (Duncan 2017). Eventually, as the Ottomans faded as a European power, Hungary became fully enveloped by the Austrian Empire. This state of affairs would exist for some time, withstanding several attempted revolts by Hungarians seeking either an equal place within the Austrian Empire or independence from it. Eventually, the Hungarians would achieve nominal political equality with the Austrians and the Austrian Empire became the Austro-Hungarian Empire in 1867. That Empire dissolved in the aftermath of the First World War and Hungary once again emerged as an independent nation.

In the post-World War I era, Hungary was briefly a democratic republic and then a Soviet republic before a military coup led by Admiral Miklos Horthy created a new Hungarian monarchy under the regency of Admiral Horthy (Gabriel 2016, 4). This new system was somewhat democratic but as time progressed the government increasingly pursued policies, both foreign and domestic, that aligned it with Nazi Germany (Gabriel 2016, 4). In fact, Hungary was a member of the Axis during World War II and was only invaded by Nazi Germany after it was revealed that the Hungarian government had sought to make a separate peace with the Allies. After World War II ended, Hungary found itself occupied by the Red Army, which quickly helped Hungarian Communists gain power. Hungary would spend the remainder of the Cold War as a Soviet puppet state.



As the Cold War ended and the Soviet Union fell apart, Hungary was one of the many Eastern and Central European states to replace communism with liberal democracy. Like many of these other states, Hungary pursued free market reforms, created democratic institutions, and successfully joined the European Union (Gabriel 2016, 6). The principle political parties throughout much of this period were the center-left Hungarian Socialist Party and center-right Fidesz Party. More recently, the ultra-nationalist Jobbik has emerged as new political force in the country. Since 2010, Hungary has experienced a number of changes in its system of governance that form the basis for my research.

Geopolitics and Regime Type

Scholars in the geopolitical school focus on the forms of government utilized by the leading powers of the day and note that throughout history, there has been a tendency for the dominant powers in the international system to, either indirectly or directly, shape other states in their own image. Many scholars have pointed towards this tendency in attempting to explain the swings between the advance and retreat of democracy worldwide (Kagan 2015). Within this school of thought, there are those who emphasize the direct imposition of forms of government by great powers, like in the case of the U.S. imposing democracy on post-World War II Japan, as well as scholars who explore more subtle ways a great power can shape other units in the international system.

Regarding the latter, some scholars claim that powerful states can have an impact on the regime type of smaller states by the power of example (Nathan 2015, 158). In this telling, it was the example of the success of the democratic members of the European Community that led to the collapse of authoritarian regimes in Southern Europe in the 1970s and the peaceful democratization of those countries (Kagan 2015, 23). Other scholars in this school focus more on the role of international norms in promoting different forms of government and the role the most powerful states have in shaping international norms (Huntington 1991, 67). Finally, scholars emphasizing the “neighborhood effect” meld the direct imposition and subtler aspects together but instead of focusing on the global balance of power, these scholars emphasize the role of regional powers in determining the form of government of a country (Way 2011, 14). While scholars in this school of thought may have different opinions on exactly how the most powerful states in the international system impact the internal politics of less powerful states, they all agree on the basic principle that shifting geopolitics have a role in explaining the growth and recession of global democracy.

With regards to my research, the geopolitical school is important because of the influence of successful authoritarian regimes on Hungary. One example

which establishes that successful authoritarian countries, such as Russia and China, are having an influence on Hungary's political culture is a speech given by Hungarian Prime Minister Viktor Orban gave in 2014. In it, he claims that the dominant issue of the day was finding a method of organizing government that can compete in the global system and furthermore that "systems that are not Western, not liberal, not liberal democracies and perhaps not even democracies, can nevertheless make their nations successful. The stars of the international analysts today are Singapore, China, India, Russia and Turkey" ("Prime Minister Viktor Orbán's Speech at the 25th Bálványos Summer Free University and Student Camp," July 26, 2014). After spending most of the twentieth century dominated by foreign powers, first Nazi Germany and later the Soviet Union, Hungary views success in the international system as essential for its survival.

Domestic Policy Failure

The second primary school of thought claims that the failure of democratic states in the realm of domestic policy has led to democratic decline. This school of thought is highly influenced by the performance theory of political legitimacy. That theory claims that regimes derive legitimacy from their ability to provide their citizens with effective governance (Burnell 2006, 549). While this theory is generally used to explain why certain authoritarian regimes lose legitimacy and succumb to democratization, it can be applied to democratic states as well. With regards to the specific failures in domestic governance that have sparked democratic decline scholars break down into two camps. The first, illustrated by Francis Fukuyama in his article *Democracy and the Quality of the State*, focuses on the state's capacity to provide common goods to its people (Fukuyama 2013, 6). "State capacity" refers to the quality of the state's bureaucracy and the degree to which that bureaucracy is susceptible to clientelism and corruption (Fukuyama 2013, 7). One expectation the aforementioned people have regarding the capable state is that it will help lead to economic prosperity. If that expectation is not met, citizens can quickly turn to wondering about the capacity of their state for effective governance.

The second camp instead focuses on the inability of democratic states to adequately deal with the problem of inequality as the source of democratic decline. According to scholars in this camp, a high level of inequality is poisonous to democracy because it increases instability in a political system which can open the door for strongmen to restore order (Karl 2000, 155). Furthermore, the super wealthy can often exert disproportionate influence over a state's political system, which adds an oligarchical element to a democratic system that causes people to lose faith in democracy (Karl 2000, 156). Whether they focus on the provision

of public services or inequality, scholars in this field all point to domestic policy failure as the source of democratic decline.

The domestic policy failure is significant to my research because the 2010 Hungarian election that brought Fidesz to power and started this whole process, was largely defined by scandals afflicting the then-ruling Hungarian Socialist Party (“We Lied to Win, Says Hungary PM,” BBC, September 18, 2006) and the economic recession Hungary was undergoing at the time (Kristztina Than, “Fidesz wins Hungary Election with Strong Mandate,” Reuters, April 12, 2010). These events may have undermined the legitimacy of not only the incumbent government, but liberalism and liberal democracy itself. Such a decline in legitimacy may be responsible for the democratic decline Hungary experienced in the aftermath of that election.

Nationalism’s Effect on Democracy

Scholars within the school of thought emphasizing nationalism’s role in the viability of liberal democracy claim that there is a significant negative relationship between the level of ethnic nationalism in a country and that country’s level of liberal democracy (Bingol 2004, 44). These scholars argue that this relationship exists because the values of liberal democracy and the values of ethnic based nationalism are incompatible. In particular, they claim there is a fundamental conflict between the ethno-nationalist conception of national unity and the liberal democratic values of diversity and pluralism (Bingol 2004, 44). This idea is consistent with other works on nationalism that claim that an essential part of the nationalist program involves dissolving internal divisions of a state (Hutchinson and Smith 1994, 4). A state seeking to remove its internal divisions is a state that is moving in an illiberal direction.

Within the realm of scholars examining the relationship between nationalism and democracy there is another group of scholars who discuss the impact of the choice of target for a state’s outbound nationalism on the fundamental political decisions of a state (Nodia 2001). While nationalism in most cases contains an internal component, as discussed above, it also contains an outbound component that involves labeling some external group an alien “other.” According to Nodia in his work *The Impact of Nationalism*, “[t]he target of this “outbound” nationalism is usually a current or former imperial power, but it can also be a great power that nationalists blame for imposing its will on their country” (Nodia 2001). This choice matters to scholars in this school of thought as they view a state that perceives democratic states as primarily “alien” or “other” as less likely to remain democratic (Nodia 2001).

The importance of the school of thought emphasizing the relationship

between nationalism and democracy to this research is twofold. Firstly, Hungary witnessed a revival of nationalism, evidenced by the rise to prominence of the far-right nationalist party Jobbik ("Hungary's Right Claims Poll Win", *BBC*, April 12, 2010), that coincided with the onset of its democratic decline. Secondly, this democratic decline has also coincided with the European Union increasingly being the target of Hungarian outbound nationalism. Indeed, Hungarian Prime Minister Viktor Orban has frequently compared the European Union to the Soviet Union, most recently in a 2017 debate in the European Parliament itself ("MEPs Discuss Situation in Hungary with Prime Minister Orban," *European Parliament Audiovisual*, April 24, 2017). Nationalism within Hungary is on the march and is directing much of its ire towards the predominant liberal democratic power in the region: the European Union.

Methodology

The methodology I am utilizing for my research project is small-n analysis. I chose this methodology because of my desire to both explore the causes behind democratic decline and take a deep dive into a single case. Small-n analysis is well-suited to the task of exploring causal relationships and, as a methodology, is certainly more concerned with questions of causality than either large-n analysis or interpretivism (Gerring 2004). This methodology also allows me to engage in pattern-matching, which in essence explores the relationships that theory proposes between certain variables (Gerring 2004, 348). Furthermore, this methodology is conducive to achieving depth in a specific case as opposed to breadth over many cases (Gerring 2004, 347). Finally, small-n analysis remains in the neopositivist camp so adopting it as my methodology allows me to narrow my focus while still maintaining the potential for generalizability characteristic of neopositivism.

The specific case-study approach I am utilizing in my research is process tracing. Process tracing is defined as examining the process by which the initial conditions of the case are translated into outcomes (Van Evera 1997, 54). My reason for choosing process tracing is that, as a format, it provides for a strong test of theory, which is what my project seeks to do (Van Evera 1997, 64). I will try to model this exploration on Boaz Atzili's article "When Good Fences Make Bad Neighbors" which, though it does not engage in process tracing, provides a useful example for assessing a causal model with several moving parts (Atzili 2006).

Case Selection

While all post-Communist states in the European Union experiencing democratic decline are interesting since the existence of a stable liberal democracy

is a prerequisite for joining the European Union (“Conditions for Membership - European Neighborhood Policy and Enlargement Negotiations,” *European Commission*, June 12, 2016) and one of the purposes of the European Union is to solidify Europe’s democracies (“The European Union in Brief,” *Europa*, June 12, 2016), I selected Hungary as my case primarily because of its status as a forerunner of democratic decline. Hungary is both the first among them to experience the decline of liberal democracy and exhibits the most extreme values of any member of this group (“Freedom in the World 2018,” January 13, 2018). I am especially focusing on the lead up to the 2010 elections in Hungary that ushered Prime Minister Viktor Orban and his project of illiberal reforms into power.

The implicit comparison made in my case selection is to other post-Communist European Union members such as Poland, the Czech Republic, Slovakia, Bulgaria, and Romania. Among these, Poland is the strongest contender to replace Hungary as the primary case this study is concerned with, but Hungary is still a superior case because it is further along in its illiberal transformation. As these states all share a common recent history, I believe the case of Hungary to simultaneously achieve comparability and representativeness with respect to the nascent illiberalism in these other states (Gerring 2004, 347). Furthermore, the combination of being similar enough to other units to be generalizable while having a different enough outcome to be somewhat of an outlier and forerunner usually produces good case studies (Thies 2002). It is for these reasons that I have selected Hungary as my case in which to study the causality of democratic decline.

Variables and Operationalization

My dependent variable in this research project is the change in the level of liberal democracy in a state. I am operationalizing this variable on three different axes, including freedom of the press, rule of law, and the existence of fair and free elections. To assign a value to each axis of this variable, I ask a series of relevant questions of the data for each individual axis. To operationalize the change in the level of democracy in a state of the freedom of the press axis, I ask, “Have there been any new legal restrictions imposed on the press?” and “Does the government exert economic and legal pressure on the press to influence coverage?” With questions such as the latter that do not by themselves indicate whether there has been a change in the indicator, I ask the question of successive years to assess the change in the indicator. I repeat this process with different sets of questions for the rule of law and elections axes.

I rely on a variety of sources to measure my dependent variable. One of these is newspaper articles. While I would prefer to use mostly articles originating from Hungary, this is difficult given the ongoing assault on freedom of the press

in that country as well as the fact that I have no knowledge of the Hungarian language. Instead, I will rely on international news outlets like the BBC, the Economist, and major European and American papers. More specifically, I will use articles like "Hungary's Media Battle 'Economic Pressure, Intimidation'" ("Hungary's Media Battle 'Economic Pressure, Intimidation,'" BBC Monitoring Media, July 8, 2014) and "Hungary Economy: Media Tax Revives Worries Over Tax Policy" ("Hungary Economy: Media Tax Revives Worries Over Tax Policy," *Economist Intelligence Unit*, June 18, 2014). Beyond newspapers, reports from democracy monitoring organizations such as Freedom House also provide critical data for operationalizing my dependent variable ("Hungary Country Report," 2017). Finally, I use speeches by Hungarian Prime Minister Viktor Orban, such as his infamous "illiberal democracy" speech, as a data source for my dependent variable ("Prime Minister Viktor Orbán's Speech at the 25th Bálványos Summer Free University and Student Camp," July 26, 2014).

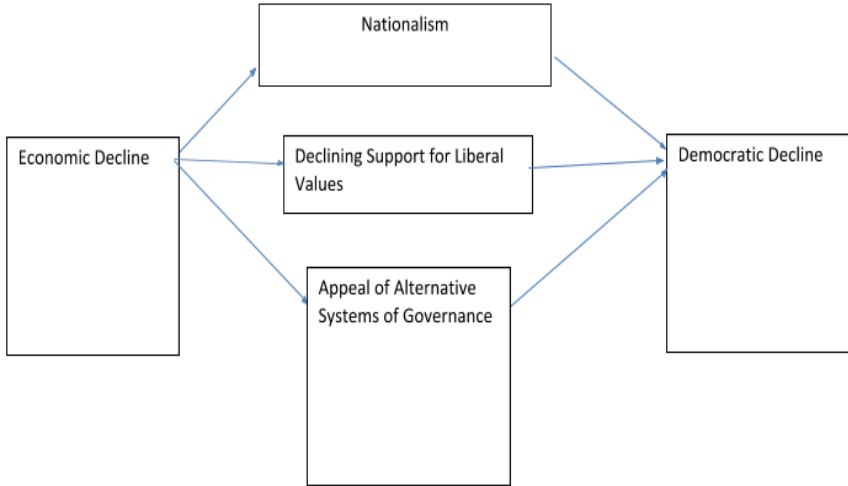
My independent and intervening variables in this research project are nationalism, support for liberal values, the appeal of alternative systems of governance, and economic decline. The process for operationalizing each of these variables is similar to the process of operationalizing my dependent variable, with me asking a series of questions of the data. To measure nationalism, I ask questions such as; "Have nationalist political parties gained support?" and "Does the country's leadership repeatedly position itself as a defender of national sovereignty against foreigners?" To measure the appeal of alternative systems of governance I ask; Has the perception of the leadership of states with other political systems shifted? and "Do political elites praise authoritarian states as exemplars?" To measure support for liberal values I ask; "Do people express support for freedom of the press?" and "Do people assign a high value to fair and free elections?" Finally, to measure economic decline I ask; "What is the change in the unemployment rate?" and "Do people feel economically insecure?"

The data that I will ask these questions of will be drawn from a variety of sources. Survey data from Gallup Analytics (Gallup Analytics, accessed November 2, 2017) and the World Values Survey (World Values Database, accessed November 2, 2017) are essential to measuring the variables of the appeal of alternative systems of governance, support for liberal values, and nationalism. Election results and what news sources write about them are an important part of measuring the support for nationalist parties. Additionally, materials gathered from the House of Terror Museum in Budapest will be important to measuring nationalism. Finally, newspaper articles and reports from democracy monitoring groups will be important to measuring all the aforementioned variables.

Hypothesis

My hypothesis has two distinct components. The first is that economic decline created the conditions for dramatic political change in Hungary. The second is that declining support for liberal values, rising nationalism, and the example of successful authoritarian regimes determined the illiberal nature of that change.

*Causal Model**



*In this model, it is important to view economic decline not as causing each of the three intermediary variables but instead as the desire for political change being filtered through each of them to produce democratic decline.

Falsifiability, Reliability, and Validity

I have addressed the issue of falsifiability by making my hypothesis falsifiable in that an investigation of available data sources will either support or not support the presence of these variables in Hungary and causal relationship I have proposed. Regarding validity, the way I operationalized important variables such as the level of democracy within a state and nationalism is consistent with theory set forth in the academic literature. Meanwhile, I have addressed the issue of reliability by attempting to be as transparent as possible in my analysis so that others can use my methods and replicate the results. An added safeguard ensuring reliability is that most of the data sources I utilize, such as Freedom House, are transparent as well which should allow others to replicate their results as well (“Hungary Country Report,” 2017).

Analysis

Taking my hypothesized causal model as my guide for discussing my results, the variable which I hypothesized starting the process of democratic decline, economic decline, was clearly present in the case of Hungary. However, not all my intervening variables are supported by the data. There are strong indications that Hungarians continued to strongly believe in the fundamental values associated with liberal democracy throughout the economic crisis and the subsequent period of democratic decline. Indeed, it is highly plausible to read the data indicating that Hungarians were dissatisfied with democracy as an indictment of the then incumbent government rather than a broad dissatisfaction with liberal democracy (Richard Wike, "Hungary Dissatisfied with Democracy, but Not Its Ideals, *Pew Research Center*, April 7, 2010). My analysis also indicates that nationalist sentiment was increasingly present in the 2000s as the country approached the critical 2010 elections. Finally, the data indicates that while Hungarian elites, especially Prime Minister Viktor Orban, admired illiberal states, there was no immense increase in the popular appeal of these alternative to liberal democracy.

Dependent Variable: Democratic Decline

Since Prime Minister Viktor Orban and his Fidesz party came into power in 2010, there has been a concerted effort to curtail the civil rights of Hungarians and entrench the government's power. Regarding the freedom of the press axis, in late 2010, the government passed a media law creating a government body, whose members would all be appointed by the ruling party, which could fine journalists and media companies whose coverage was deemed unbalanced (Marcin Sobczyk, "Hungary Approves Controversial Media Law," *WSJ*, December 21, 2010). This law is only part of the campaign the Orban government has waged against the independent press. The government has also levied new taxes specifically targeting media firms ("Hungary Economy: Media Tax Revives Worries Over Tax Policy," *Economist Intelligence Unit*, June 18, 2014), pulled government advertising from critical news outlets ("Hungary's Media Battle 'Economic Pressure, Intimidation,'" *BBC Monitoring Media*, July 8, 2014), and had government-aligned businessmen purchase and then shut down media groups investigating government misconduct ("Hungary Country Report," *Freedom House*, 2017). Regarding the rule of law axis, the Hungarian National Assembly has written laws specifically targeting Central European University as part of a campaign led by Orban against Hungarian-American financier George Soros, who Orban considers a political rival (Zoya Sheftalovich, "Hungary's Anti-Soros Education Law Sparks Schism in European Parliament" *POLITICO*, April 5, 2017). There have also been onerous regulations

levied on specific non-governmental organizations (NGOs) whose missions are opposed by the ruling party (“Freedom in the World 2018,” January 13, 2018). For example, NGOs working on immigration have been targeted (“Freedom in the World 2018,” January 13, 2018). Finally, regarding the axis stressing the existence of free and fair elections, while Hungarian elections are widely seen as free (“Freedom in the World 2018,” January 13, 2018), they are not necessarily fair as Fidesz frequently uses public funds to help further its political activities, as in the case of a recent referendum on migration (“Hungary Country Report,” Freedom House, 2017).

Independent Variables: The Conditions for Dramatic Change

Economic Decline

The academic literature on regime change indicates that regimes derive legitimacy by their ability to provide their citizens with effective governance (Burnell 2006). One aspect of effective governance in this theory is proper management of the economy. Drawing from a wide variety of economic indicators and sources, it is quite clear that Hungary suffered from severe economic dislocation in the lead up to the pivotal 2010 election that brought Prime Minister Viktor Orban to power. From 2006, the year of the last previous Hungarian election, to 2010, the unemployment rate rose from 7.49% to 11.17% (“Unemployment - Unemployment Rate,” *OECD*, accessed March 25, 2018). However, this does not tell the full story of Hungarian employment. Throughout this period, Hungary had also been suffering from a labor force participation rate around 10% lower than the OECD average (“Employment - Labour Force Participation Rate,” *OECD*, accessed March 25, 2018). Beyond employment, there are other indications of economic decline. In the four-year period of 2007-2010, growth in household disposable income was negative (“Household Accounts - Household Disposable Income,” *OECD*, accessed March 25, 2018). Household debt was also on the rise throughout the 2000s, rising from 30% of net disposable income in 2002 to 84.8% in 2010 (“Household Accounts - Household Debt,” *OECD*, accessed March 25, 2018). Furthermore real wages declined from their peak in 2006, not fully recovering until 2014 (“STADAT – 2.1.1. Economically Active Population, Average Gross Earnings, Real Wages and Salaries (1960–),” accessed March 25, 2018). This drop in real wages coupled with rising debt is likely part of the reason why in 2008 and 2009, the number of Hungarians saying they were unable to deal with unexpected financial expenses increased from 67.6% to 75.2% (“Eurostat - Data Explorer,” accessed March 24, 2018). In both these years, this rate was the highest among European Union countries.

While economic indicators show that Hungary was suffering from economic

troubles throughout the 2000s, the economic situation clearly deteriorated in the late 2000s. This decline can in a large part be attributed to the international financial crisis that hit the world in 2007. The combination of the crisis' effects on Hungary and the state's high level of public debt were cited as justifications by the International Monetary Fund (IMF) for a \$15.7 billion loan it gave Hungary in 2008 ("IMF Survey: IMF Agrees \$15.7 Billion Loan to Bolster Hungary's Finances," *IMF*, November 6, 2008). Hungarians were exposed to the effects of the financial crisis in other ways as well. Many of the loans that made up the aforementioned rise in household debt were made in foreign currencies, which became problematic as the international financial system was rocked in 2007 (Kate Connolly, "Days of New Flats, Cars and Generous State Benefits over as Hungarian Currency Collapses," *the Guardian*, October 29, 2008). It is indisputable then, that Hungary was suffering from a painful period of economic decline in the lead-up to the 2010 elections.

Independent Variables: What Type of Change?

Declining Support for Liberal Values

In early 2010, Hungarians expressed deep dissatisfaction with both the economic and political status quo. Indeed, a startling 72% of people said that most people were economically better off under communism (Richard Wike, "Hungary Dissatisfied with Democracy, but Not Its Ideals, *Pew Research Center*, April 7, 2010). Simultaneously, an even higher 77% of people claimed to be dissatisfied with the way democracy was working in Hungary (Richard Wike, "Hungary Dissatisfied with Democracy, but Not Its Ideals, *Pew Research Center*, April 7, 2010). However, this may speak more to dissatisfaction with the incumbent government as decisive majorities of Hungarians still claimed that essential democratic rights such as freedom of speech were very important (Richard Wike, "Hungary Dissatisfied with Democracy, but Not Its Ideals, *Pew Research Center*, April 7, 2010).

Appeal of Alternative Systems of Governance

As Hungary has not been the victim of direct foreign intervention in the case of this most recent illiberal shift, the focus in this analysis is on the role of the of example of authoritarian states on the internal politics within Hungary. On the elite level, Prime Minister Viktor Orban is quite clearly inspired by the example of authoritarian leaders worldwide. This was made most abundantly clear in his now infamous speech on illiberal democracy ("Prime Minister Viktor Orbán's Speech at the 25th Bálványos Summer Free University and Student Camp," July 26, 2014). In other speeches, he has shown a contempt for liberal democratic critics within the European Union even comparing the European Union the Soviet Union ("MEPs Discuss Situation in Hungary with Prime Minister Orban," European Parliament

Audiovisual, April 24, 2017). Clearly, Orban admires illiberal states and disdains liberal democratic ones. Meanwhile, on the popular level, Hungarians do not seem to echo Orban's admiration for illiberal states or their leadership. In contrast, Hungarians' assessments of the job performance of the international leadership of Russia, China, the European Union, Germany and the United States have remained remarkably stable over time (Gallup Analytics, accessed November 2, 2017). Indeed, the leadership of the liberal democratic members of that quintet, namely Germany, the European Union, and the United States, have consistently been rated more highly than the leadership of Russia and China (Gallup Analytics, accessed November 2, 2017).

Nationalism

If the literature on nationalism and democracy is correct, then democratic decline in Hungary should have been preceded and accompanied by a rise in nationalism within the country. Just as the 2000s were a period of economic stagnation for Hungary that ended in severe economic decline, this was also a period of rising nationalism that ultimately culminated in an electoral expression of nationalism's power in the 2010 elections. Those elections which, as previously mentioned, swept Viktor Orban and his Fidesz party into power, also saw Jobbik, garner 16.6% of the vote and enter the National Assembly for the first time ("European Election Database - Hungary," accessed March 26, 2018). In the previous National Assembly election of 2006, the party had been limited to a mere 2% of the vote and was shut out of the National Assembly ("European Election Database - Hungary," accessed March 26, 2018). In the interim, the party had received around 15% of the vote and several seats from Hungary in the 2009 European Parliament elections ("A Short Summary about Jobbik," *jobbik.com*, December 12, 2016). Jobbik is an explicitly nationalist party, and their increasing levels of success are a clear sign of rising nationalist sentiment in Hungary prior to the illiberal revolution of 2010 ("Policies," *jobbik.com*, December 12, 2016).

A subtler expression of the nationalism in Hungary comes in the form of the House of Terror in Budapest. The House of Terror is a museum in Budapest commemorating the victims of the Nazi and Soviet occupations of Hungary that opened in 2002.¹ While the museum primarily functions as a memorial to the victims of Communism and Nazism, some of its contents are also indicative of the nationalistic atmosphere in Hungary. Materials gathered from the museum demonstrate this by their focus on the ways Hungary was a victim of foreign powers and minimization of the role of Hungarians in the Communist and Nazi

¹ Interestingly enough, the museum was an initiative of Viktor Orban, who served as Prime Minister from 1998 to 2002 in addition to his current time in the position.

regimes. For example, the exhibit "Double Occupation" blames the victorious powers of the First World War for putting Hungary in the predicament of being a weak state in a neighborhood dominated by the Soviet Union and Nazi Germany ("Double Occupation," *House of Terror*. Budapest, Hungary). It then obliquely refers to successful attempts by Hungary to retain its independence for four years before it was occupied by Nazi Germany ("Double Occupation," *House of Terror*. Budapest, Hungary). This period is portrayed as one of democracy and freedom for Hungarians. However, Hungary was not a democratic paradise during this period (Gabriel 2016). Also, while there is mention of the fact that Hungary went to war with the Soviet Union, it remains unstated that they did this as an ally of Germany. Furthermore, while things became significantly worse for Hungarian Jews after the German occupation, it devotes only a single sentence to anti-Jewish laws passed by the Hungarian government prior to the Nazi occupation ("Double Occupation," *House of Terror*. Budapest, Hungary).

Conclusion

There are several implications for theory that can be drawn from these findings. First, the idea of performance theory of legitimacy applying to democratic regimes is challenged by these findings. While Hungarians may have expressed some discontent with the way democracy was working in their country in the lead-up to 2010, this likely merely represented disgust for the then incumbent government. Indeed, there is nothing undemocratic with the people becoming disenchanted with the ruling party and voting them out of office in mass. Additionally, these findings can also perhaps present an interesting corollary to the idea of successful states in the international system influencing the domestic politics of other states by the power of their example. In Hungary, the elite was clearly influenced by the example of illiberal foreign regimes while the people were not. This fact suggests that the example of other states may matter more on an elite level, at least in cases of democratic decline.

In future research, it would be useful to explore this dichotomy between the influence of the power of example of other states on elites and the general populace. One problem I encountered with my research is that economic decline seems to be a catalyst for rising nationalism which is a problem because this correlation in independent variables makes it hard to determine the separate effects of economic decline and rising nationalism on democratic decline. From this experience, one avenue for future research would be disaggregating the impacts of economic decline and nationalism in democratic decline. An additional reason for this being an interesting avenue for research is the case of Jobbik.



While Jobbik was not part of the government that has dismantled democracy in Hungary, I am convinced from their platform and actions that Hungary would have witnessed a substantial democratic decline with them in power, even if that decline might have taken a different form than the Fidesz led one.

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INDIA AND BURMA: A CASE STUDY IN DEMOCRATIC MOVEMENTS VIS-À-VIS COLONIALISM

Emily Wolfe

Abstract

Great Britain set out for many countries during the colonial expeditions. One of these countries was India. During the 19th century, Burma was also incorporated in to the British Raj. While India and Burma were under the same colonial rule, their norms and practices previous to this could not have been more different. When the British Raj ended, India and Burma regained their independence. However, there is a clear distinction between the two during their course of colonization. India was able to form a cohesive democratic movement, and eventually form the Indian National Congress. Burma did not see the rise of a democratic movement. This is important, because it arguably changed the course of the countries' respective futures. India became a democracy, and Burma became a hybrid regime. The factor that gave way for the rise of India's democratic movement must be explored.

Introduction and Framing

Great Britain was a colonial power for a grand portion of its history. The British Empire spread far and wide, and included the massive continent of India. The British Empire also included what is known today as Myanmar (formerly Burma). India and Burma share the same colonizer, yet there is a clear dichotomy in their histories. India was able to form a democratic movement while under colonization and become a democracy— Burma was not.

Today, India is the world's largest democracy. With a population of 1.3 billion, India is expected to surpass the population of China within the next ten years (BBC News, 2018). India is a parliamentary democratic republic and has both a president and a prime minister. The role of the Indian president is to be the head of state, and the prime minister is the head of government.

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During the national election process in India, the citizens vote for members of the Lok Sabha— this is the lower house of the bicameral legislature also known as the House of the People (Panda, 2014). The upper house in the bicameral legislature is known as the Rajya Sabha (Panda, 2014). The prime minister is appointed by the Lok Sabha, he or she is not elected by the citizens directly (Panda, 2014). India's democratic system of governance is largely based on western (mainly British) notions, but it is a democracy nonetheless.

Burma, known officially today as Myanmar (although the United States does not recognize this change) is also, on paper, a parliamentary republic. This seems extremely similar to India's system of governance upon first glance. However, the two could not be more different. India's elections are democratic and free— citizens can actively participate in the future of their country. Myanmar was under the rule of a military junta from 1962 to 2011 which was extremely oppressive (BBC News, 2018). While partially free elections were held recently in 2012, the military is known to have an extremely strong presence in Myanmar's government. Myanmar however, does have a president. Since the end of formal military rule in 2016, the role of the president is more or less ceremonial (BBC News, 2018). The most recent elections in Myanmar took place in 2015, and these have been deemed as the most free (BBC News, 2018). The leader of the government is Aung San Suu Kyi. She had been a leader for the pro-democracy movement for many years (BBC News, 2018). However, her reputation was recently tarnished due to the way her government treated the Rohingya. This includes the ethnic cleansing that took place against the Rohingya by the Myanmar military— it is clear that the Myanmarese government has no plans to tackle the atrocities that befall their minority populations.

It is clear that there is a difference in the histories of Myanmar and India even though they were under the rule of the same colonizer. This difference is the fact that India is a democracy, and Myanmar had turned in to a hybrid regime. The struggles that befell Burma and India during colonization caused a dichotomy in their routes to solve their individual issues. India managed to form a democratic system of governance while under the shadow of colonization, while Burma was not. Respectively, the ability and inability for India and Myanmar to form democratic movements deeply affected their futures. India's democratic movements while under British rule provoke a question: *what explains why India saw the rise of a democratic movement during the 19th century, while Burma did not have this experience under the same colonial power?*

I have chosen to do this case study because as economic power grows for India and Burma, it is important to understand the process they each went through that landed them where they are today. Understanding these dynamics will be

important to maintaining relationships with both countries.

Democratic Movements: What Are They and Why Do They Form?

In order to better understand why India saw the rise of a democratic movement, it is essential to know what democratic movements are and a few of the reasons scholars have cited as to why they form.

For purposes of this paper, I will define a democratic movement in basic terms. Therefore, a democratic movement is a social and political movement in which the people of a certain country have a desire to change the system of governance under which they live, and use the social and political means such as protesting, peaceful resistance, and forming their own democratic system of governance in order to create the new democratic government they desire. I will also be framing the democratic movements in relation to the denoted answers to the research question.

In the *Southern Economic Journal*, Jenny Minier discusses how democratic movements are a possible result of higher incomes (Minier 2001, 997). She also makes the point that, "...the demand for democracy is increasing in both income and education." (Minier 2001, 999) These are important points as they denote the fact that democratic movements do not pop up in random fashion, but that there must be some sort of causal mechanism for them. Minier labels democracy as a "normal good" due to the fact that in the case of democratic movements, they are produced as a result of increasing incomes (Minier 2001, 1005). This paper offers a more economic reason as to why democratic movements form, and this is arguably an important facet of them in general. This correlates to the potential answer in which India saw the rise of a democratic movement for economic reasons. There is no doubt that India produced a great deal of wealth while under the British Raj, and obviously the Indian princes were very wealthy. Since Indian princes were able to keep their rights and Indian citizens had been assured that they would be given the same rights as British citizens, it would make sense that even while under colonial rule, India was able to generate a massive amount of wealth (Gopal 1965, 3-4). Contritely, Burma was not awarded these same supposed benefits to being a British colony. The heads of the Burmese villages were essentially stripped of their power, and the villages were made to perform tasks in order to benefit the British (Charney 2009, 7). It makes sense here that Burma would not be able to form a democratic movement while under British rule because they could not accumulate the same amount of wealth that India was able to. Additionally, as Minier states, while higher incomes and democratic movements seem to be correlated, education is also a factor here. The rise of a democratic movement in India was certainly the



result of wealth (as well as education, of course), while in Burma the lack of the societal facets did not create the environment in which a democratic movement could form.

Another important facet of democratic movements is the governments under which they form. Edward Gibson discusses the importance of domestic leaders in government and the ways in which they can change the tide of a regime. In order to analyze this, Gibson looks at seemingly authoritarian provinces in Mexico, which has a democratic system of governance (Gibson 2005, 101-132). The provinces he looks at are Oaxaca and Santiago del Estero, and he explores how, “subnational authoritarian leaders perpetuate provincial authoritarian regimes.” (Gibson 2005, 103) While the example in Gibson’s article takes place in an already democratic country, it has implications for my research. This article exhibits the importance of local leadership and the fact that local leaders can change democratic systems of governance in to authoritarian regimes within their own jurisdiction. This is also relevant as to why Burma was not able to form a democratic movement, yet India was. Local leadership in India was not diminished in the same way that local leadership was in Burma after the British arrived in the respective countries. It is clear that the removal of village leaders in Burma had a profound impact on the lives of the villagers as well as Burmese society overall. Meanwhile, the autonomy of the princes in India allowed for local governments to continue (to some degree) their normative practices. Local and domestic politics are deeply intertwined with democratic movements, particularly in the case of India and Burma, as demonstrated through this article.

There are many important aspects of democracy to consider, and one of these is why democratic movements are able to form in different social settings across the globe (Markoff 1996, 1-11). John Markoff discusses this in an article that addresses this question by analyzing the “history of democracy.” (Markoff 1996, 1) In his article, Markoff describes democratic waves and why they are important in society:

“During a democratic wave, the organization of governments is altered...in ways that are widely held to be more democratic. During such a democratic wave, there is a great deal of discussion of the virtues of democracy, social movements often demand more democracy, and people in positions of authority proclaim their democratic intentions.” (Markoff 1996, 1-2)

This is an important quote because it implies a lot about democratic movements. The author is discussing the details and nature of democratic movements according to what has been seen throughout the past. Democratic movements are possible in almost any place, and Markoff is making the point

that these elements of democratic movements are present, or can be in all of them. This article is certainly relevant to the research question because India formed a democratic movement during the 19th century. Moreover, during India's democratic movement, the organization of government was altered, people were discussing democracy, and there were social movements that were demanding more of a democratic government. All the aspects of Markoff's article play in to India's democratic movement quite well in this context.

In an article written by two professors at Stanford University, the authors Philippe Schmitter and Terry Karl discuss precisely what democracy both is and is not. They note that, "...democracy does not consist of a single unique set of institutions." (Schmitter and Karl 1991, 76) What Karl and Schmitter stress in their paper is the fact that democracy can take hold in many forms with varied outcomes (Schmitter and Karl 1991, 76). Additionally, they argue that, "The specific form democracy takes is contingent upon a country's socioeconomic conditions as well as its entrenched state structures and policy practices." (Schmitter and Karl 1991, 76) This is interesting, as it very much plays in to the fact that India had been able to form a cohesive democratic movement during the 19th century, yet Burma was not under the same colonizer. Another important point that Schmitter and Karl make about democracies is that they, "...cannot be reduced to the regular holding of elections or equated with a particular notion of the role of the state..." (Schmitter and Karl 1991, 85) This is representative of the fact that throughout the article, the authors discuss the many facets of democracies and democratic societies and how they may have different processes or outcomes, but in the end they are still democratic societies. Additionally, India had very different institutions than Burma did during the British Raj. This article then plays in well as to why a democratic future was possible for India, but it was not within Burma's range.

It is safe to say that according to the evidence, democratic movements may arise due to a number of reasons. These reasons may be economic, as when income and education increase, the demand for democracy goes up (Minier 2001, 999). This would make sense in the case of India and Burma, as the local governments India were certainly wealthier than those in Burma. Local leadership is also important when it comes to forming a democratic movement, as it has been made clear that local leaders can change the tide of democracy within their own regime (Gibson 2005, 101-132). This adds to the argument as to why India was able to form a cohesive democratic movement in the 19th century, as their local leaders were able to have a greater impact on their societies. Lastly, while democratic movements have many facets, India's democratic movement during the 19th century certainly meets every marker. It is clear then that the reasons for India's forming of a cohesive democratic movement during the 19th century



stemmed from empowered local governments as well as economic advantages.

Potential Answers

There are a few possible answers to the research question, and according to the evidence, they are as follows:

- *Even though Burma was part of the British Raj, it is geographically removed from the subcontinent of India. Ergo, the democratic movement was not able to spread east to Burma.*
- *Local and regional leaders in India were more prevalent, had more influence, and were given more autonomy by the British than their Burmese counterparts. Therefore, Burma was not able to form a cohesive democracy in the same fashion as India.*
- *India is the exception to the pattern of underdevelopment (both in infrastructure and systems of governance) seen in post-colonial nations, whereas Burma follows this pattern. Ergo, Burma could not break the mold of colonial history and form a democratic movement.*
- *The subcontinent of India produced more wealth than Burma did, thus making its people more apt to push for democracy.*

While all of the factors stated above are plausible, some are more likely explanations as to why India was able to form a democratic movement while under the shadow of colonialism than others. I believe that a combination of the explanations regarding the prevalence of local and regional leaders as well as India having more wealth than Burma did are the most convincing reasons as to why India was able to form a democratic movement, yet Burma was not.

Geographic Isolation

Burma's natural isolation from the mainland of the Indian subcontinent is a plausible explanation as to why there was no large push for democracy in Burma under the British Raj. It could be that due to the fact that the democratic movements in India were so physically far away from Burma that it was unable to culminate east of the subcontinent. Being it that Burma was far away from and not as large as India, a democratic movement just may not have been socially possible unless they had heard of the resistance happening in India. Which, during the 19th century, would have been difficult information to obtain for the Burmese.

Local Government

Perhaps the reason for India's rise in democratic movements was due to their local governments, directly correlating to Burma's lack of autonomy with local governments. The princes in India were given more autonomy than the village leaders in Burma. This lack of autonomy as well as higher levels of control in Burma could be the reason for the lack of a democratic movement in the region. Whereas in India, the autonomous nature of the princes and local governments created the space in which a democratic movement was possible. Delegating power to the Indian princes would generate democracy because it increases their legitimacy. This is not to say that the princes had no legitimate authority before, however. Rather that by delegating power, it created a space in which the princes in India were able to garner more legitimacy even though the Indian subcontinent was under the control of the British. By increasing the legitimacy of the princes, the British Raj gave more and more fuel to what would spark the fire of a democratic movement in India.

Common Patterns of Underdevelopment

As it is seen with many post-colonial nations, underdevelopment is a problem that remains in their societies. India, being highly industrialized in most respects, seems not to follow this pattern of underdevelopment. It is potentially possible that India is an exception to this common pattern of underdevelopment, whereas Burma is not. It could be explained that India is an outlier in the system and Burma is within this system. This implies that during India's time under Crown Rule, the process of decolonialization occurred differently than most. This occurrence being the formation of a democratic movement.

Economic Implications

The Indian subcontinent was undoubtedly wealthier than Burma was during their shared colonial history. It was annexed prior to Burma, and was the primary target of the British, whereas Burma was incorporated simply to protect India (Pillalamarri, 2017). Many regions in India were governed or headed by wealthy princes, and India definitely produced a great deal of wealth during this time. Burma, on the other hand, was a country with many village communities with village leaders and was not as wealthy as India. Not to mention, the British did not treat the Burmese villages with the same dignity they treated the Indian states with. It is likely then that due to India's economic dominance over Burma, the right environment was created in order for a democratic movement to occur.

Evidence: Possible Explanations

In order to understand why economic implications and local government are the key factors being looked at as to explain why India was able to form a cohesive democratic movement and Burma was not, each of the possible explanations must be addressed.

In regard to geographic isolation, this potential explanation is lacking in evidence. While theoretically, it is plausible, Burma being geographically isolated from the Indian subcontinent is not a viable enough explanation as to why India saw the rise of a cohesive democratic movement, yet the same was not true for Burma. Of course, the democratic movement that occurred in India was physically far away from Burma, it does not offer a sociopolitical explanation for the lack of a democratic movement in Burma during the 19th century. Common patterns of underdevelopment could offer a different perspective on the issue as to why Burma was not able to form a cohesive democratic movement. It is well known that nations which were formerly colonized tend to be those which are underdeveloped or are still continuing in their development process in to the modern day. As it would be that India is mostly highly industrialized, the potential for India to be an exception to this common pattern of underdevelopment is quite possible. Whereas Burma would simply be a follower of this typical pattern of underdevelopment. However, this is not entirely convincing. If this were the case, India would quite literally be the only former British colony that was able to do this during the 19th and 20th centuries. Therefore, this standpoint is important to consider, yet not entirely plausible.

The importance of local government and economic implications then cannot be downplayed. As geographic isolation and common patterns of underdevelopment do not offer a substantial explanation to this phenomenon, local government and the implications of economics do. As aforementioned, the Indian subcontinent was wealthier than Burma because India was the focal point for British colonial rule in that area, whereas Burma was annexed to protect the British holdings in India (Pillalamarri, 2017). Being it that the states in India were run by wealthy princes and Burma was primarily governed by village leaders, the Indian states were undoubtedly wealthier than the Burmese villages (Charney 2009, 6). This is due to the fact that local governments in India were given more autonomy than those in Burma. As the British officials delegated much power to the Indian princes, whereas the village leaders in Burma became dependent on the British officials (Charney 2009, 6). This is a crucial difference between India and Burma during the British Raj, because the levels of autonomy given to the local governments in the respective countries has a direct effect on the economic

implications. As it would appear, local governments are crucial during the British Raj, as they can have an effect on the economy, and will ultimately be a key factor in whether or not a cohesive democratic movement is able to form.

Local Governments and Economic Implications: India and Burma

As mentioned before, Indian princes were given more autonomy to run their regions of the Indian subcontinent during the British Raj than the Burmese village leaders were. In order to understand why local government and economics not only play in to each other, but also the formation of cohesive democratic movements, one must understand the trajectory of the British Raj and how it effected local governments and their economies in India and Burma.

The British Raj began in India in 1858. Once Crown Rule began, the hegemony of the British East India Company ceased. However, the beginning of British rule in India did not come without resistance. This resistance is known as the "Great Rebellion" or the "Indian Mutiny" (Kaul, 2011). The Great Rebellion lasted for two years, and the ending of it marked the beginning of British rule in India for the next 90 years. At that time, India had approximately 300-350 million inhabitants (Kaul, 2011). This means that the number of English men who presided over the subcontinent would never be enough to truly rule over the Indians with a watchful eye. Therefore, what the British had to do was form allies with the Indian elite in order to enforce their rule more effectively, and even gain the trust and loyalty of some Indians (Kaul, 2011). The elites of India would later prove to be instrumental in monetary support and military aid during both World Wars (Kaul, 2011). When the Crown assumed the Indian government, the announcement was written and read in every Indian language and Indian princes received copies (Gopal 1965, 3-4). Indian princes were assured that their rights and positions were to be respected and Indian citizens were to be given the same rights that British citizens had (Gopal 1965, 3-4). It is important to note however, that the British Government in India conducted search and seizure operations in the North West provinces of India, such as Oudh (Gopal 1965, 10-11). Indian homes would be searched for weapons (guns, bayonets, and the like) and these weapons would be taken away in order to ensure that another massive revolt, such as the Great Rebellion, would not occur again (Gopal 1965, 10-11).

It certainly makes sense then that the local governments in India were deeply involved in the British Raj, even though they were technically subject to it. However, it would also appear that the British were a bit dependent on the cooperation of the wealthy elite in India if they wanted the British Raj to be a success. This is important, as it highlights the attention to which local Indian



governments were given. Additionally, it is known that the prince-run states were given decent amounts of autonomy, as they were assured that their rights would not be taken away and they were to be given the same rights as British citizens (Gopal 1965, 3-4). Clearly, local government in India played a large role during the British Raj, and was ultimately a deciding factor in the formation of a cohesive democratic movement. The autonomy of the local governments in India was absolutely essential in the rise of India's democratic movement during the 19th century.

Burma, however, is a different story. The Burmese villagers and village leaders did not enjoy the same levels of autonomy that those peoples in the Indian states did.

A central part of Burmese life before they were colonized by the British was the village, according to Michael Charney (Charney 2009, 6). He discusses how, "Colonial rule disrupted traditional reciprocal relationships between the landed gentry and the peasants." (Charney 2009, 6) Burmese villages typically had a headman who acted as the leader and intermediary, as well as the one who saw to it that village needs would be fulfilled (Charney 2009, 6). However, under British rule, the role of the village headman disappeared and the village populations of Burma were much more susceptible to mistreatment by the British (Charney 2009, 7). In fact, the Burmese had to fully submit to British authority under the Village Act (Charney 2009, 7). Charney explains the details of this act:

"Under its terms, all Burmese, except for Buddhist monks, had to shikho (a salutation reserved for important elders, monks, and the Buddha) British officers, as a demonstration of their recognition of submission to British mastery." (Charney 2009, 7)

Village life in Burma was drastically disrupted under British rule. The village headman now relied on the colonial state for his income and general welfare, and the village people were required to provide services like food and transportation to British officers (Charney 2009, 7). The British undoubtedly have a great deal of power and influence in Burma and over the Burmese people. It is clear here that the British essentially wanted total subordination from the Burmese people.

Essentially, when the British arrived in Burma, the Burmese villagers' way of life was completely changed. Before the British arrived in Burma, local villagers relied on their headman. However, Burma being colonized meant that the village headman no longer had the autonomy he needed to look after the people in his village. The arrival of the British and their subsequent takeover of the Burmese villages meant that the village headmen lost their autonomy and were therefore not able to instill their usual peaceful rule in the areas which they formerly governed.

This is in stark contrast to what happened in India, where the princes were still more or less able to enforce their rule. Local government is then extremely important in both India and Burma because the autonomy of the princes allowed for them to resist British rule more so than the overarching subjugation that the villagers in Burma faced. The subjugation in Burma did not create space in which a cohesive democratic movement could form, but the autonomy in India did.

Additionally, the aspects of local government in India and Burma play in to the economic implications of why India saw the rise of a cohesive democratic movement during the 19th century. To whom the British gave more autonomy to were the Indian princes, who were obviously a part of the Indian elite. Meanwhile, the British subjugated those in the Burmese villages, who were clearly not in the same economic standing as those in India. Moreover, the British ended up having a decent enough relationship with the Indian elite so much so that they ended up being of great help during the World Wars (Kaul, 2011). Having more economic freedom allowed for the princes of the Indian states to be more independent of the British even when they did arrive, as the British knew they would need to work with the Indians, rather than against, in order to foster a relationship that would ultimately benefit the British. Yet this is no the case with Burma. As the clear subjugation of the Burmese villages demonstrates, the British did not need to foster the same kind of relationship with them in order to keep the British Raj running. The economic implications of the British Raj during the 19th century definitely relate to why India was to form a cohesive democratic movement, but Burma was not able to do this under the same colonizer. It is also clear that local government and economics play in to each other, as they are not facets that act alone in the case of India and Burma.

India: Historical Analysis While Under British Rule

The history of India began long before the British arrived. However, for purposes of this paper, only the colonial history of India will be discussed. While colonial rule in India formally began in 1858, the British East India Company dominated the region for over a hundred years prior.

The East India Company was founded in Great Britain on 31 December in the year 1600 (Erikson 2014, 3). The East India Company was initially made up of a small group of merchants funded by Queen Elizabeth I; she granted them a monopoly on trade for lands west of Cape Horn and east of the Cape of Good Hope (Erikson 2014, 3). The East India company was given a great deal of autonomy to function in its trading business, and became a major economic player with a substantial amount of political power in both Asia and Great Britain (Erikson



2014, 4). It is important to keep in mind that the British East India Company was not always the major player in the region. The Dutch East India Company was the trading hegemon in the region prior to England's dominance. Although, the Dutch East India Company was dissolved long before the British East India Company's power came to an end (Erikson 2014, 4). The Dutch East India Company came to a formal end in 1799 (Erikson 2014, 5), thus creating a space for the British East India Company to become a hegemon. It is often noted that the British East India Company paved the way for the British Raj in India. In her book about the British East India Company, Emily Erikson discusses this point:

“Many of these arguments explicitly state that the private trade allowed English traders to penetrate in to local markets and commercial networks, and that this penetration and partnership with Asian merchants was the foundation of British commercial success.” (Erikson 2014, 14)

Erikson notes that the rise of private trade is directly correlated to British success in the East (Erikson 2014, 13). The trading that takes place between Great Britain and India clearly allowed for the rise of British rule in India. Erikson also points out that English private traders, “...entangled the English Company—and eventually the British government—into political conflicts that led to colonial rule.” (Erikson 2014, 13) It is clear then that the British East India Company gave way for the succeeding British rule in India.

Crown Rule in India was formally set in stone with the Act of 1858 (Gopal 1965, 2). The Act of 1858 set out the way in which India would be governed, “... directly by and in the name of the Crown, acting through a Secretary of State.” (Gopal 1965, 2) S. Gopal's book, *British Policy in India, 1858-1905* outlines the system of governance that Great Britain installed in the subcontinent:

“He [the Secretary of State] would be aided by a council of fifteen members, of whom at least nine should have served in India for not less than ten years and have left India not more than ten years before their appointment to the council. This body would be presided over by the Secretary of State, who could if necessary overrule their decisions.” (Gopal 1965, 2-3)

The Secretary of State appointed to India had a great deal of power. They were not even required to inform their council of certain things, such as when he communicated with the Government of India (Gopal 1965, 3). In India, the Governor-General in Council remained in charge of central administration (Gopal 1965, 3). This position was now meant to represent the British Crown rather than being an acting position, so it became more ceremonial than anything, and the

Governor General was given the title of Viceroy (Gopal 1965, 3). The system of governance that Great Britain set up in India was meant to ensure that Crown Rule would have a lasting impression on Indian society.

The system of governance that the Crown installed in India once the British East India Company was dissolved was meant to enforce direct British rule in India. The subcontinent would continue to be ruled this way until India eventually gained independence in 1947.

Burma: Historical Analysis While Under British Rule

Burma was set up as a British colony in 1824, and was actually part of Great Britain’s Indian Empire (Pillalamarri, 2017). Interestingly enough, Burma was only amassed by Great Britain in order to protect India (Pillalamarri, 2017). In 1785, Burmese forces seized Arakan— a kingdom on the coast. This gave the Burmese a border with British Bengal. After this, the Burmese forces invaded a region called Assam, which was north of British Bengal (Pillalamarri, 2017). British India saw this invasion as a threat and it caused the first Anglo Burmese War, which lasted from 1824 to 1826 (Pillalamarri, 2017). This allowed Great Britain to acquire sections of Lower Burma— succeeding wars in 1852 and 1885 led to the annexation of the remaining parts of Lower Burma, as well as Upper Burma (Pillalamarri, 2017). This essentially means that the entirety of Burma was not colonized by the British until the late 19th century.

While under colonial rule, British Burma had relations with British India. However, these relations did not necessarily (or at all) benefit the Burmese people. Merchants and traders from British held territories in the region were allowed to travel the length of the Irrawaddy River without any restrictions via the Burmese authorities (Nisbet 1901, 26). While similar trading opportunities were given to the Burmese along the other end of the river, it was clear that they were not ready to accept their new colonizers. The British wanted to continue trade in this region, so they abolished a few customs duties they levied on the south of the region (Nisbet 1901, 27). The Burmese, however, still did



Figure 1. Map of the British Raj in 1914.



not take kindly to this and continually delayed their trading “performance” (Nisbet 1901, 27).

It is important to note that Burma was treated as a part of Great Britain’s Indian Empire and was ruled as such. As previously stated, the whole reason that Burma was annexed by the British in the first place was to protect the British Raj in India. In order to better conceptualize just how grand and expansive the British Empire was in this region of the world, I have provided a map (see Figure 1).

The Indian National Congress

The Indian National Congress (INC) was a result of the democratic movement that formed in India. It was founded in 1885, and, “...is widely regarded as a key turning point in formalising opposition to the Raj.” (Kaul, 2011) The Indian National Congress has its roots in in the “elite intellectual middle-class” and in its later years becomes a huge organization that would ultimately change the fate of Indian governance for the better (Kaul, 2011). The INC represented the diversity of the Indian subcontinent while simultaneously achieving consensus on the issues facing their country decade after decade (Kaul, 2011).

The Indian National Congress was a major component in weakening the grip the British Raj had on India. While there was a split between the moderate and more extremist wings in the INC, they reunited again in 1917, and more parties with different ideologies about how to separate themselves from the British Raj appeared in the 1920s. There were also those politicians in the INC who believed that violence was a tactic which needed to be used in order to end “imperial oppression” (Kaul, 2011). Of course, there were also those who did not advocate for violence and instead pressed the methods of non-violence.

Mahatma Gandhi was a central figure in the Indian push for independence. He was the main advocate for nonviolence and had substantial influence on the end of the British Raj. Gandhi was able to mobilize the Indian people and form three major movements from 1920-1942 (Kaul, 2011). Gandhi was a member of the Indian National Congress, and formed the ideal of “satyagraha” while he was involved in politics (Kaul, 2011). The ideals of “satyagraha” contain the components of “truth or soul” (Kaul, 2011). As Gandhi was able to spread this message of acceptance to people, he was also able to continue his political agenda of independence from Great Britain. Gandhi was arrested in 1942 (along with other members of the INC) for promoting the idea of independence from Great Britain (BBC, 2009). Mahatma Gandhi was assassinated in 1948, just one year after the British Raj was formally dissolved. Nevertheless, he was able to mobilize massive populations of an entire

country and was an extremely important figure in the democratic movement in India.

The Indian National Congress and Mahatma Ghandi were essential facets in the democratic movement that occurred in India during the 19th century. The democratic movement in India certainly needed the INC and Ghandi in order to truly gain the strength in needed for the British Raj to dissolve. It is important to note that the formation of the INC plays in to the idea that wealth is needed in order for a democratic movement to form. This is due to the fact that the member of the Indian National Congress were elites, and Ghandi was a part of this group. This demonstrates further the explanation that level of wealth matters when it comes to forming a democratic movement.

Conclusions

India and Burma were both colonized by Great Britain in the 19th century. While Burma was annexed by Great Britain in order to protect the British Raj in India, they were run as part of the British Raj. During their respective colonial histories, India was able to form a cohesive democratic movement, whereas Burma was not.

I have argued that this was mainly due to the fact that India was a wealthier country than Burma, thus allowing for the people to form a democratic movement. This democratic movement resulted in the Indian National Congress and Mahatma Ghandi as the face of the nonviolent aspect of the movement. Additionally, local government is important when it comes to the formation of democratic movements. As discussed, Burma's village leaders were taken out of power and the villages were made to produce goods for and serve the British (Charney 2009, 7). The Indian princes, however, were treated far differently. When the British Raj had originally begun, the Indian princes were assured that none of their rights would be taken away, nor would they be removed from their positions (Gopal 1965, 3-4). The way the British treated the Burmese is very much in contrast with the way the British treated the Indian people. India was certainly a powerhouse of wealth and tradeable goods for the British, while Burma was amassed in order to protect India under British rule.

It is clear in both the cases of India and Burma that accumulation of wealth and local governments are extremely important determinants of a democratic movement. India and Burma had very different colonial histories, regardless of the fact that they were colonized by the same nation. It is clear then that the Indian subcontinent experienced a democratic movement due to the autonomous nature of local and regional leaders, as well as the amount of wealth that was concentrated



within the region. On the contrary, Burma was not able to form a democratic movement due to the fact that their local and regional leaders were removed or stripped of their power, and that Burma was not the same economic powerhouse that India was. Therefore, in the cases of India and Burma, wealth and regional governments are determining factors in whether or not a democratic movement can form.

It must be said that in order for India to have been able to form a cohesive democratic movement during the 19th century, they needed autonomous local governments as well as the upper hand in economic advantages— which they had. Being it that the princes in India were able to keep their autonomy, even though they were under colonial rule, they were still able to generate wealth as well as have some sort of influence that created a space for a cohesive democratic movement to form in India. Burma, on the other hand, did not have this option. Since the villages were overtaken and completely subjugated by the British, there was really no opportunity for local Burmese leaders to generate wealth or have influence over their villages anymore. These are important differences, as they are the deciding factors of whether or not a democratic movement is able to form. As the evidence shows, democratic movements form because of an increase of wealth and education and influence from local leaders who can change the fate of their country. Democratic movements can form in any place, and, while democracies can take many forms, the social and economic facets of the society they take place in will have great impact on the goals of a democratic movement. It is certainly true then that when discussing democratic movements vis-à-vis colonialism in the case study of India and Burma, their respective local governments and the economic implications thereof were absolutely deciding factors as to why India was able to form a cohesive democratic movement during the 19th century, and Burma was not.

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INVESTIGATING THE FAILURE TO REBEL: THE CASE OF THE RUSSIAN MINORITY OF NORTHEAST ESTONIA FROM 1992-1993

Daniel Herschlag

Abstract

There is a large body of scholarship that explores why some ethnic minorities, when faced with a threat from an ethnic majority, mobilize for violent conflict while other minorities do not. Stuart Kaufman in an investigation of the ethnic rebellion of Moldova's Russian minority, posits nine key conditions that are necessary for ethnic rebellion to occur. However, the Russians of Estonia did not engage in ethnic rebellion despite the presence of these nine conditions. To explore the theoretically unexpected outcome of the Russian minority of Estonia I utilize a process tracing method. I hypothesize that the Russian political elites made efforts to dampen the threat perceived by the general population of the Russian minority in Estonia posed by the Estonian government, thus mitigating the effects of the antecedent conditions. However, through a structured analysis of contemporary Russian newspapers, I find that opposite to be the case. The Russian political elites engaged in threat-inducing rhetoric. I find evidence that although the general Russian minority population of Estonia was impacted by the threat inducing rhetoric, they felt that they had an illegitimate claim to the territory in which they resided. This was due to the fact that the majority of the Russian population of Estonia were first or second-generation immigrants. This finding suggests that a historical claim to the territory in which an ethnic minority resides is critical for an ethnic minority to engage in rebellion, a factor that was neglected in Kaufman's model. This finding contributes to broader literature on ethnic violence and could be utilized to predict when ethnic minorities are more likely to mobilize for conflict..

Introduction

After World War Two, the Soviet Union encouraged migration of ethnic Russians from the "core" of Union to the newly acquired periphery (Laitin 1995). Due to this migration, when the Soviet Union collapsed a new Russian diaspora, 25 million in number, was created (Kolst et al. 1993, 1998).

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In many cases this Russian diaspora saw the systematic restriction of their rights by the government of the former Soviet states as these states attempted to reassert their national identity after decades of Soviet domination. In some cases, such as the Russians of Moldova, the Russians mobilized and engaged in interethnic war in response to these restrictions. In other cases, such as the Russian minority of Estonia, the Russians accepted their minority status and the primacy of the titular majority.

Starting in 1991 the government of Estonia passed a series of laws that limited the political rights of its Russian minority. In February of 1992, the Estonian government reinstituted the 1938 law on citizenship which deprived the vast majority of the Russian population of citizenship and by extension, the right to vote (Chronology of Russians in Estonia). The Alien Registration Law, passed in 1993 required all Russians who immigrated to Estonia since 1940 and their descendants to register with the government. (Ibid) These laws received international condemnation as an attack on the human rights of the Russian minority (Estonia-Russians). However, despite these attacks on their rights, and the presence of other factors that in theory made the Russians of Estonia likely to rebel they never mobilized for conflict.

It is critical to develop a more complete model of ethnic secessionist movements, inter-ethnic relations and civil war. Understanding the troubled inter-ethnic relationships within states of the past could provide critical insights into the inter-ethnic relationships of the present and the future. How will the current conflict between ethnic Russians and the Ukrainian government play out? Will the secessionist tendencies of the Catalonians of Spain ever come to fruition? Or will they integrate like the Russians of Estonia? What is the future of the Uyghurs minority in China? Scholars and policy makers can derive benefits from the insights that careful examination of contentious inter-ethnic relations of the past can provide when trying to address inter-ethnic relations of the future. This paper seeks to add to the theoretical literature on ethnic rebellions and inter-ethnic relations by investigating a case where the literature failed to predict the actual outcome.

This paper investigates the failure of the Russian minority of Estonia to mobilize for ethnic conflict after the fall of the Soviet Union. The goal of this research is to develop a more complete and nuanced understanding of inter-ethnic conflict and secessionist movements by examining an ethnic minority that the theoretical literature predicts should have engaged in rebellion but did not, by using a process tracing methodology. Much of the previous research on inter-ethnic conflict and civil wars focuses on establishing connections between certain variables and the proclivity or aversion of a minority to engage in rebellion. In contrast, I draw on a

process tracing methodology to explore how an ethnic minority with the conditions that the literature predicts should have rebelled ended up not rebelling.

I begin this paper by completing a review of the literature regarding interethnic conflict and civil war. I pay particular attention to illustrating the theoretical precedents established by other scholars. I then move into a methodological explanation of my case selection and operationalization of variables that I analyze. Also, in this section I provide an explanation and justification of a process tracing method of analysis. Following this methodology section, I introduce my hypothetical causal model and demonstrate how the preexisting scholarship fits into the model. I then test my theoretical model by applying it to the case of the Russians of Estonia.

Literature Review

This study investigates the Russian minority of Estonia's decision to not engage in ethnic rebellion. I have identified the three most relevant bodies of scholarship that offer theories as to why minority groups take different courses of action. These include the Structuralist school of thought, the Security Dilemma school of thought and the Leadership school of thought. The Structuralist literature examines non-dynamic aspects of a society, such as geography, demographics, population distribution and long-term societal hierarchies, to explain why some groups seek independence or autonomy. The Security Dilemma literature seeks to explain ethnic rebellion in terms of ethnic groups attempting to attain security. Finally, the leadership literature studies individual actors behaving as either instigators or mitigators of conflict.

Structural Theories

The structuralist school of thought is the largest and most developed body of literature in regards to the study of ethnic rebellion. Structural theories study how antecedent conditions of a society and an ethnic minority contribute to the likelihood of an ethnic minority engaging in rebellion. Geography has been investigated as a means to explain the different courses of actions of minority groups. For example, extensive statistical analysis by Fearon and Laitin suggests that states with a mountainous geography are significantly more likely to experience civil war (Fearon and Laitin 2003, 85). In another statistical analysis examining the duration and results of a civil war Derouen and Sobek found that mountainous terrain significantly increases the probability of a rebel victory (DeRouen Jr and Sobek 2004, 314). These findings suggest that the more difficult the terrain of the territory that an ethnic group minority resides in, the more likely that the group

will engage in rebellion and succeed.

Scholars in the Structuralist school of thought also analyze demographics and the distribution of an ethnic group in a state to explain why some ethnic groups rebel and others do not. Scholars have found that states that are characterized by ethnic dominance, when one group makes up more than fifty percent of the population, are more likely to experience civil war than states characterized by ethnic fractionalization, when no ethnic group makes up more than 50 percent of the population (Collier 2001, 150-155). This suggests that the higher degree of ethnic dominance in a state or region, the more likely that a minority in that state would seek autonomy. Other scholars who investigate demographics find that an ethnic group's likelihood of seeking political autonomy or succession hinges largely on their distribution within a state (Duffy Toft 2002, 84). Groups that constitute a concentrated majority in a region of a state are the most likely to demand sovereignty and mobilize for conflict (Duffy Toft 2002, 92). This finding supports the dominance/ fractionalization theory because an ethnic group that is categorized as a concentrated majority in a region will, by definition, make up more than fifty percent of the population (Collier 2001, 150-155).

The phenomena of ethnic, linguistic, and racial segregation also are utilized to explain the outbreak of conflict. Corvalan and Vargas conducted a large-N study that found that segregation and conflict are highly correlated. (Corvalan and Vargas 2015, 216) This finding would again support the fractionalization/ dominance theory. (Collier 2001, 150-155) If groups are highly segregated a group that might be a minority on the national level could constitute a concentrated majority at a particular local area, giving them dominance and resulting in a claim for sovereignty. (Duffy Toft 2002, 88-90)

Finally, another subset of the Structuralist school of thought study the political and social hierarchies within a society. Scholars investigating the role of hierarchies in the mobilization of groups for rebellion have found that when access to political participation, power or economic opportunities is limited by ethnic affiliation, the risk of a minority group engaging in rebellion rises (Buhaug, Cederman, and Gleditsch 2014, 426, Cederman, Weidmann, and Gleditsch 2011, 492). This is commonly referred to as the "grievances theory" in the literature. The higher levels of grievances that a group experiences the higher the probability that the group will mobilize to reconstruct the political system (Buhaug, Cederman, and Gleditsch 2014, 425).

The Structuralist literature orients itself very heavily towards the X to Y paradigm that my research attempts to challenge. It concerns itself with how an antecedent condition, whether it be ethnic fractionalization, political and economic suppression, geographic distribution, or geography itself leads in one of two

outcomes, conflict or the absence of conflict. These conclusions of the Structuralist literature have much to do with the large-N methodology predominantly utilized in this school of thought. My research draws on the Structuralist theories to demonstrate that the Russians of Estonia were theoretically quite likely to engage in rebellion. However, in order to explore how this theoretically unusual case and in order to construct a more complex causal model that can provide more explanatory utility I utilize a process tracing methodology.

Security Dilemma Theories

Scholars of Security Dilemma theories draw on realist international relations theory to explain why some ethnic minorities engage in conflict and other do not. Posen asserts that collapsing empires often create intrastate conditions of anarchy (Posen 1993, 28). Scholars assert that the collapse of the Soviet Union constituted the death of the last colonial empire (Kuzio 2002). In the context of the collapse of this empire, a quasi-state of anarchy was created where various ethnic minorities could not count on governments to protect them. In this state of intrastate anarchy, ethnic groups will act on their own accord to attain their security. Kaufman asserts that the most severe interethnic security dilemma occur when the “fears of extinction [are] mutual [and] actions taken by one side to avert extinction be seen by the other side as threatening extinction for themselves (Kaufman 1996, 89).

Various factors can determine how threatened ethnic groups feel by one another. Hardin writes that “successful social coordination, whether intended or not, can create extraordinary power” (Hardin 1995, 28). It is in this same vein of thinking Posen asserts that “groupness of the ethnic, religious, cultural and linguistic collectives that emerge from collapsed empires gives each of them an inherent offensive military capability” (Posen 1993, 29). Scholars of the Security Dilemma school of thought assert that the “groupness”, of an ethnic group endows them with an inherent capability for conflict (Ibid). Groupness is a somewhat vague concept that roughly means the ability for a group to take collective action because of a group identity. Posen argues that if multiple ethnic groups in a society have a high level of “groupness”, the result is a security dilemma where each ethnic group feels threatened by the military capabilities that the other groups possess (Posen 1993). It is this dilemma that ultimately leads to mobilization for conflict (Ibid). Scholars have outlined other factors that can make a group be perceived as particularly threatening. Many of these factors are derived from the Structuralist school of thought. Essentially, the Security Dilemma literature acts as a link that explains why the various factors outlined in the Structuralist theories correlate with higher likelihoods of a minority to rebel.

In my hypothetical causal model, the degree that an ethnic minority fears persecution or attack by the titular majority is critical in explaining the action a minority takes. In my hypothetical causal model, I hypothesize that the severity of the security dilemma that a minority's population perceives directly impacts the severity of the course of action that the group takes.

Leadership Theories

The leadership scholars investigate the role of individual leaders in instigating or mitigating intergroup conflict. Kaufman sorts leaders that promote intergroup conflict into two categories; one group that instigates conflicts because they are "Zealots for their ethno-nationalist cause", the other uses inter-group conflict to monopolize personal power (Kaufman 1996, 117, Oberschall 2000). Both categories of leaders can exaggerate the grievances of a group or use their position of prominence to invent a security dilemma, and either one of these methods can achieve the mobilization of a group.

Although leaders can act as instigators to a conflict, they could also potentially act as mitigators. Hurrelmann et al argue that "motivated, well-educated and well-motivated" local leaders can promote intergroup cooperation (Hurrelmann, Murray, and Beckmann 2006). These leaders could potentially prevent mobilization for political autonomy or succession by acting as bridges between the titular majority and the minority.

In an investigation of the Russians of Moldova's path to civil war, Kaufman constructs a theory that bridges the Structuralist, Security Dilemma and elite manipulation theories. Kaufman posits nine key conditions that are necessary for elites to be able to manipulate populations. These nine conditions are "ethnically defined grievances, demographic threats, negative ethnic stereotypes, a history of ethnic domination, ethnic symbols, a reciprocal fear of group extinction, a de facto situation of anarchy, the military means to fight, and the political space for ethnic outbidding" (Kaufman 1996, 113). However, while structuralist theorists would argue that these nine conditions make groups statistically more likely to mobilize for conflict, Kaufman asserts that these conditions are meaningless if elites choose not to engage in threat inducing rhetoric or if elites of different ethnic groups choose to cooperate (Kaufman 1996). Essentially, Kaufman argues that these nine factors are necessary preconditions for rebellion to occur but if the elites of a group do not act as instigators then the group will not rebel.

However, in the literature there is somewhat of a gap in the study of the precise process of elite manipulation. Combining the literature on Press indexing and Press framing could provide a possible theory as to how elites can effectively manipulate populations. Scholars have posited and presented evidence that the

Press index to the consensus of elites (Robinson 2001, 530-531, Livingston and Bennett 2003, Bennett, Lawrence, and Livingston 2007). That is, whatever rhetoric that elites use will be replicated in the press. Scholars have also presented evidence that indicates that the way in which the press presents an issue has a significant impact on how the public perceives said issue (McCombs and Shaw 1972, Uscinski 2009, Jasperson et al. 1998). These two processes contribute to a more nuanced understanding of how elites can influence a group.

Drawing on Kaufman's combination of these three bodies of scholarship and the literature on press indexing and media framing I construct a hypothetical causal model that potentially explains why the Russians of Estonia did not rebel despite the high theoretical likelihood of this group to engage in rebellion. Elites could partake in fear reducing rhetoric. This rhetoric via the process of press indexing is replicated in the Press. This rhetoric in the Press makes the general population feel less threatened via the process of media framing. Because the population feels less threatened, in line with the Security Dilemma literature, the population does not feel the need to mobilize to attain their security. In this study, I utilized a process tracing methodology to test this hypothetical model.

Methodology

The preexisting scholarship on interethnic conflict mostly studies the correlation of certain variables to certain outcome with very little focus on the actual process that takes place "between" a variable and an outcome. Drawing on process tracing methodology allows me to peer inside the "black box" between the variables and outcomes that the literature on the topic usually omits. By utilizing elite manipulation, press indexing, media framing and security dilemma theories to derive intervening variables I can work towards deducing causality and not simply correlation.

I begin this section with a justification of my case selection. I then describe the variables which I analyze and their precise operationalization. I then give a more in-depth explanation of my method of analysis and an account of my hypothesized causal model.

Case Selection

I analyze the Russian minority of Estonia between 1992 and 1993. This minority group exhibits many of the conditions that, according to theory, would make this group very likely to mobilize for interethnic conflict. However, as the historical record demonstrates, the Russians of Estonia never ended up mobilizing for interethnic conflict(Chronology for Russians in Estonia). Thus, investigating

the process by which this theoretically unexpected outcome occurred offers insights regarding the broader phenomena of interethnic conflict.

The nine conditions that Kaufman posits are necessary for ethnic conflict to occur were present in the case of the Russians of Estonia.

Kaufman's nine conditions:

1. Ethnically defined grievances
2. Negative stereotypes
3. Threatening Demographics
4. History of ethnic domination
5. Disputes over emotional symbols
6. A de-facto state of anarchy
7. Mutual fear of extinction
8. Political space for elites to operate in
9. A territorial base to mobilize from

There were ethnically defined grievances of the Russians of Estonia towards the government of Estonia that were economic in nature. The rate of unemployment of Russians in Estonia was significantly higher than the unemployment rate of the general population (Smith 1999, 512). The Russians and the Estonians had negative stereotypes and attitudes towards one another. The Russians perceived the Estonians as aggressive nationalist as a result of the Estonians attempt to reassert their national identity and the Estonians perceived the Russians as "dirty" oppressive colonists (Lieven 1994, 174-216, Kelley 2004, 94 and see articles 28 and 34 in appendix). There were threatening demographics at play as well. After the fall of the Soviet Union the Russians of Estonia suddenly went from being an ethnic majority (as Russians were the dominant ethnic group in the Soviet Union) to being an ethnic minority in Estonia. The Estonians on their part felt threatened by the fact that Russians made up thirty percent of the state's population—the Estonians felt that they were in danger of becoming a minority within their own country (Smith 1999). There was a history of ethnic dominance of the Russians over the Estonians and as a result, there was a fear among the Russian population that the Estonians would take "revenge" for this history of domination (Kaufman 1996, 113, Lieven 1994, 174-216). Finally, the Estonian government was attacking a fundamental symbol of the Russian minority- the Russian language. The Estonian government instituted anti-Russian language laws that attempted to reassert Estonian as the dominant public language (Aalto 2003, 574).

Kaufman asserts that for an intrastate security dilemma to form the state

must be unable or unwilling to protect all major groups resulting in a de-facto state of anarchy (Kaufman 1996, 113). As previously mentioned, the Estonian state was not only unwilling to protect its Russian minority but actually took active steps to persecute it. In addition, for an intrastate security dilemma to form, action taken by one group to avoid extinction must be viewed by the other ethnic group as threatening them with extinction. Actions taken by the Estonians to reassert their national identity, which they viewed as an imperative to their survival, was perceived by the Russian minority as a threat their own survival. Similarly, actions by the Russian minority to protect themselves from anti-Russian policies, such as seeking autonomy, were viewed by Estonians as threatening to the territorial integrity of Estonia and thus, a threat to their survival. Kaufman posits that for a security dilemma to form the minority must have a territorial base from where they can mobilize. The Russians of Estonia had this in the Northeast region of Estonia where they made up over 80 percent of the population (Smith 2002, 89). Finally, Kaufman asserts that there must be a political space in which elites can operate in. Throughout the period of Glasnost there was a general loosening of the Press and public sphere throughout the Soviet Union- including the Baltic states. Thus, by 1990 there was ample political space for elites to operate in.

Kaufman argues that the combination of these nine factors allowed the political leaders of the Russians in Moldova to create a security dilemma and manipulate the population into participating in ethnic war (Kaufman 1996). These same conditions were also present among the Russians of Estonia, but despite the presence of these conditions, these Russians did not rebel. This makes the failure of the Russians of Estonia to rebel theoretically unexpected and worthy of investigation.

Method of Analysis

I conduct a process tracing investigation of the Russian minority of Estonia to understand the theoretically unexpected outcome of this group. A process tracing method allows me to investigate the causal mechanisms and thus deduce causality instead of just uncovering a correlation between two variables (Gerring 2004, 348). Utilizing a process tracing method allows me to analyze the events and actions of actors of my case to explore the process by which this unexpected outcome was produced. Waldner defines process tracing as a:

“longitudinal research design whose data consist of a sequence of events (individual or collective acts or changes of a state) represented by nonstandardized observations drawn from a single unit of analysis”. (Bengtsson and Ruonavaara 2017, 46)

A process tracing method allows me to construct a causal chain that connects the initial event to outcomes (Van Evera 1997, 64). I constructed a hypothetical causal model that links each one of intervening variables to one another based on the preexisting theoretical literature. In my research I searched for evidence for each link in the model in the temporal order that I supposed (Ibid). If I do not find sufficient evidence for a particular step in my casual chain or find that the events happened in a different order then I theorized I would be able to deduce that the model is not representative of the actual process that occurred. This methodology ensures that my theories and hypotheses are falsifiable, a key measure of the validity of any neo-positivist research.

Theoretical Causal Process and Hypothesis

My hypothesis is a test of Kaufman's theory. Because all of the risk factors that were present in Moldova were present in Estonia, this means, according to Kaufman, that the Russian political leaders must have acted as mitigators of conflict. Thus, I hypothesize that the Russian population of Estonia did not rebel due to the actions of their political leaders. Furthermore, I constructed hypothetical causal model that explains how precisely these political leaders were able to determine this outcome (figure 1).

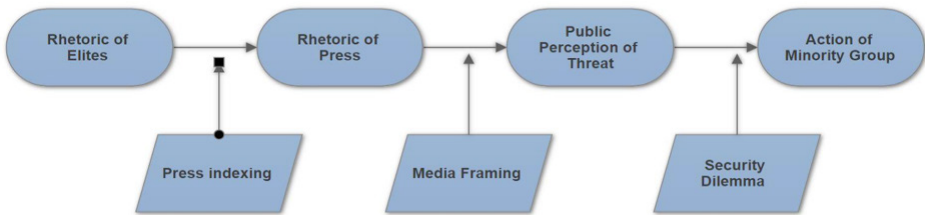


Figure 1

In line with a process tracing methodology, I have theorized a set of intervening variables a priori that could theoretically explain how the initial conditions of my cases are translated into outcomes (Van Evera 1997, 64). I hypothesize that the Russian political leaders engaged in a threat dampening rhetoric which was then mimicked by the Russian Press via a process of media indexing. This threat dampening rhetoric of the Press then decreased the public perception of the threat posed by Estonians and the Estonian government via a process of media framing. A lowered perception of threat and thus avoided an intrastate security dilemma and resulted in the Russian minority not engaging in interethnic war.

In gathering data to tests my hypothesis and causal model, I primarily



draw on four distinct sources. To be able to easily access a wide variety of archival new sources contemporary to my specified time frame I utilize the Factiva Data Base and Nexis Uni databases. These databases have extensive contemporary news articles from Russian sources such as ITAR-TASS news service and also secondary reporting of Russian news from the BBC. In addition, foreign newspapers often conducted interviews with political leaders and everyday citizens which I analyze. In addition, I use the “Current Digests of the Soviet and Russian Press” Data Base. This database consists of “English translations of news articles published in the Soviet Union and Russia from 1949 to 2010. Includes translations of Soviet government documents, laws and treaties, five-year plans and reports of their implementation, as well as speeches by leaders.” The combination of the Factiva, Nexis Uni and, the Current Digest of the Soviet and Russian press databases will allow me to cross reference the data that I collect from each source off of data that I collect from the others.

In addition to these databases I will also be analyzing certain prominent historiographies pertinent to my subject. These secondary sources will allow me to further triangulate data that I collect from primary sources. The historiographies that I draw on are Anatol Lieven’s *The Baltic Revolution: Estonia, Latvia and Lithuania and the Path to Independence* and Robert Service’s *Comrades! A History of World Communism*.

Using these sources of data, I analyze three distinct variables; the rhetoric of Russian political leaders, the rhetoric of the Russian Press and the public perception of threat. I define Russian political leaders as any Russian in Estonia and in the Russian Federation who occupies a political leadership position or advises a political leader. I included Political leaders of the Russian Federation because many of the political leaders of the Russian Federation were leaders in the Soviet Union and by extension leaders of the Russian population of Estonia. Since my temporal time frame of analysis is quite adjacent to the fall of the Soviet Union, it is reasonable to assume that Russians of Estonia still felt connected to the former Russian leaders of the Soviet Union.

My second variable of analysis is the rhetoric of the Russian Press. I define the Russian Press as any widely published and circulated Press in the Russian language. Ideally, I would limit my analysis to the Russian press of Estonia, however, these newspapers were never archived or digitized and thus are inaccessible to me for analysis. However, many of the major Russian language news sources, originating in the Russian Federation, were archived and digitized. These newspapers were widely circulated both within the Russian Federation and among the Former Soviet republics. In addition, due to the shared border of the Russian Federation and Northeast it is reasonable to assume that the Russians of Estonia

had significant exposure to the Press originating from the Russian Federation.

My final variable that I analyze is the perception of threat that the Russian minority of Estonia feels by the Estonian government. To measure this variable, I analyze statements from everyday Russians reported in the Press, observation from researchers in Estonia at the time and public opinion polling. Ideally, I would have conducted interviews with Russians who were living in Estonia at this time, particularly in the Northeast region. However, due to constraints I was unable to conduct interviews.

Although I am anticipating that I will find my theorized variables occurred in the temporal order that I predict, they might not. I might find that, for example, in the Narva region of Estonia that the popular reaction came first and then that drove the press reaction which drove the political leader's reaction. Regardless of what I actually find, my causal model and my variables give me a framework with which to engage with the data that I have collected. Furthermore, irrespective of my findings this type of investigation of an unusual case should yield theoretical implications for the broader literature.

Furthermore, I am utilizing a small-N methodology and as such the generalizability of any conclusions that I draw from this research are limited (Gerring 2004, 347). My findings particularly lack external validity because I do not conduct any cross-case comparisons. Ethnic minorities that are subject to different geo-politics, histories and social realities might respond to the implementation of anti-minority language, culture and citizenship laws very differently. There could be a whole different causal model that transfers initial conditions to outcomes depending on the ethnic minority.

In addition, my limited access to individuals who actually lived in these regions during my stated time period, my non-existent access to the political elites of these communities whose reactions I am trying to analyze and my still somewhat limited Russian language skills negatively affect the validity of my research. However, since I am being extremely explicit about how I am undertaking this research, another researcher with access to the previously mentioned data sources and superior Russian language skills, could replicate my research and verify any conclusion that I draw.

Analysis

The databases that I utilized for this investigation have hundreds of articles regarding the Russian minority of Estonia's situation between January of 1992 and late 1993. For the sake of brevity this analysis references around fifty. These articles are representative of the general characteristics of my variables of analysis.



I begin this analysis with a presentation of the rhetoric of the Russian political leaders in my specified time frame. I then present the rhetoric of the Russian Press. Finally, I described the general perception of threat that the Russian minority felt. After a presentation of the data I analyze the implications of the data on my hypothetical causal model. Finally, I discuss a possible explanation for the theoretically unexpected path of the Russian minority of Estonia between early 1992 and late 1993

Political Leaders' Rhetoric

Foreign Russian leaders expressed a high level of concern regarding the systematic violation of the rights of the Russian minority of Estonia. At points the rhetoric of these foreign Russian leaders crossed over into rhetoric that went beyond concern and into a rhetoric that would increase the public perception of an intrastate security dilemma. The local Russian political leaders' rhetoric was a "level" up from the rhetoric of foreign Russian leaders. The rhetoric of local Russian leaders' asserted that the Estonian government's goal was an ethnic cleansing of the Russian population and suggested that the Russian minority should take steps to independently attain their security. At no point in my analysis of the behavior and rhetoric of Russian political leaders did I find evidence of these leaders acting as mitigators of ethnic conflict or taking steps to promote inter-ethnic cooperation (Hurrelmann, Murray, and Beckmann 2006).

The foreign Russian leaders expressed apprehension over the passage of various anti-Russian laws by the government of Estonia. Early in 1992, F. Shelov-Kovedyaye, the Deputy First Minister of the Russian Ministry of Foreign Affairs stated that "a number of provisions of the [Law on Citizenship] are of serious concern to the Russian Ministry of Foreign Affairs, since there is a real possibility that, if they are implemented, the rights of the non-Estonian[read Russian] population of the Estonian Republic will be infringed upon." (Article 1). This type of rhetoric certainly does not take steps to promote interethnic cooperation and although it raises the specter of persecution it does not have nationalistic, secessionist or highly security dilemma provoking characteristics. This rhetoric propagated by foreign Russian leaders regarding the situation of the Russian minority of Estonia was predominate in early and mid-1992 (Articles 2,3,4 and, 5).

In late 1992, the rhetoric of foreign Russian leaders started to take on a more extreme message. In December of 1992, Yuly Vorontsov, Russia's representative to the United Nations stated that "one gets the impression that the objective of the policy being implemented in Latvia and Estonia to strictly limit and even deny certain human rights and fundamental freedoms with respect to members of nonindigenous nationalities [read: Russian] is the formation of a mono-ethnic state, to be brought about by creating, for a segment of the population,

conditions that would compel it to 'voluntarily' change its place of residence and leave the country." (Article 6). In another example of more extreme rhetoric Sergei Stankevich, political adviser to the Russian President claimed that Estonia was treating its Russian minority as "disposable citizens" (Article 7). As 1992 turned into 1993 the foreign Russian Leaders' rhetoric became more and more extreme (Article 28). Andrei Kozyrev, the first Minister of Foreign Affairs of the Russian Federation proclaimed that the policies of Estonia towards its Russian minority constituted apartheid and would lead to ethnic cleansing (Article 8). Rhetoric of this type by foreign Russian leaders dominated in late 1992 and throughout 1993 (Articles 9,10,11 and, 12). This rhetoric not only is the anti-thesis of promoting inter-ethnic cooperation but also highly security dilemma invoking.

The local Russian leaders of Estonia engaged in secessionist and security dilemma provoking rhetoric as early as March of 1992. Vladislav Chuikin, chairman of the Narva city Soviet threatened that if "the Estonian Parliament fails to grant the region a special status, we will hold a referendum on joining the Russian Federation" (Article 13). In addition, in early 1992, Vladimir Kuznetsov, a Member of Parliament and Deputy Chairman of the Narva town council characterized the Estonian government as an "ultra-radical force" (Article 14). As time progressed the rhetoric became more dangerous. In late 1992 Chuikin proclaimed that "The intent of these laws is clear: to frighten the Russian- speaking population and push it out of Estonia." (Article 16). By early 1993 local Russian leaders in Estonia labeled the Estonian government's continued passage of anti-Russian laws as "a war of discrimination" (Article 19). Later in 1993 the local leaders started to make calls for the population to engaged in work stoppages, block railways and highways, and take steps to independently secure their rights (Articles 19,20,21 and, 22). This rhetoric was concerning similar to the rhetoric of the Russian political minority leaders in Moldova leading up their war of secession (Kaufman 1996). However, the Russian population of Estonia did not end up engaging in war of secession thus, the difference between the path of the two minorities is not traceable to different behavior of their respective political leaders.

Press Framing and Indexing

In my analysis of the Russian press between January of 1992 and November of 1993 I found evidence of the Russian Press indexing to the rhetoric of the Russian political elites. That is, when the political leaders engaged in secessionist, fear inducing and security dilemma provoking rhetoric, so did the Press. This is in line with the prediction of the literature on Press indexing (Livingston and Bennett 2003, Robinson 2001, Bennett, Lawrence, and Livingston 2007).

In early 1992 the Russian Press adopted the same apprehensive rhetoric

of the political leaders. The Russian Press in early 1992 conveyed a concern for the violation of the Russian minority's rights but did not engage in security dilemma provoking rhetoric (Articles 23 and, 24). However, by mid-1992 the Russian Press started adopting the security dilemma-esque rhetoric that had been being utilized for a few months by the Russian political leaders both within and outside of Estonia. At this time, the Russian Press began characterizing various laws passed by the Estonian government as being discriminatory in nature, much like the Russian political leaders did (Article 31). The Russian Press also started to propagate stories that utilized rhetoric that painted the general Russian minority population in Estonia as being insecure. In one article, the Russian Press reported that paramilitary Kodukaitse and Kaitseliit units were harassing and attacking Russians and that the Estonian authorities refused to act (Article 26). By mid-1992 the predominate narrative of Estonia expressed by the Russian Press was that Estonia was a hostile place for Russians to inhabit (Article 25,27,29 and, 30). By late 1992 the Press had adopted the more extreme rhetoric of the Russian political leaders. The press published articles that referred to the laws passed by the Estonian government as a "a policy of national segregation" (Article 32) . As 1993 progressed, the Russian Press mimicked the "Estonia-on-the-brink" rhetoric of the political leaders. Articles were published in the Press that stated that the Russian minority was "doomed to a situation in which they have no rights and are under open police surveillance [and that] the formation of an apartheid regime will begin and ethnic conflicts will start (Article 33). The rhetoric of ethnic cleansing and imminent war became prolific in much the same way that it became prolific in the rhetoric of the political leaders (Article 34, and 35).

Public Perception of Threat

The literature on media framing suggests that the manner in which the media frames an issue should have a direct effect on how the public perceives an issue (McCombs and Shaw 1972, Uscinski 2009, Jasperson et al. 1998). Following from this literature, it should be expected that the threat rhetoric that the Russian Press took part in should result in the general Russian minority population feeling as if they are under attack. If the general Russian minority population internalized the threatening rhetoric of the political leaders and the Press, then, in line with the security dilemma literature, the minority should have mobilized for ethnic conflict. In my analysis of the general Russian population's perception of threat from January of 1992 to November of 1993 I found that indeed the Russian minority felt extremely threatened by the Estonian government. However, the Russians refused to mobilize for armed conflict to attain security.

In early 1992 the Russian population was not exhibiting evidence of feeling

unjustly persecuted or attacked. An ordinary Russian living in Estonia gave an interview to the Guardian in which he stated that "this [Estonia] is my country. I've no relatives or close friends to go back to. I wouldn't get a job or an apartment in Russia [and that] I'm really sorry I haven't learned Estonian," he said. "But in the north-east of the country where I was born there were hardly any Estonians, and hardly any language teachers in the schools" (Article 36). Although the everyday Russians of Estonia were concerned by the passage of laws that restricted their rights, they did not feel like their security was at stake. This attitude persisted into the summer months of 1992. In his historiography *The Baltic Revolution: Estonia, Latvia, Lithuania and the Path to Independence*, Anatol Lieven stated that "in my own visits to Narva up to the summer of 1992, I found the overwhelming majority of local Russians opposed to secession, including those very critical of Estonian behavior. 'After all, this is Estonian land', one elderly woman told me." (Lieven 1994, 201). This observation is borne out by public opinion polling in the summer of 1992 that indicated while the majority of Russians living in Estonia deemed it acceptable for Moscow to put economic and political pressure on Estonia in retaliation for the government's restriction of Russian rights, between 67 and 70 percent strongly opposed any military intervention (Article 37).

However, by late 1992 the general Russian population of Estonia had started to adopt and express similar sentiments as the Press had in mid-1992. In an interview an ordinary Russian living in Estonia exclaimed, "How can they refuse us citizenship? It's so absurd and preposterous." (Article 38). The Russian population began to feel that they were threatened during late 1992 (Article 39, 40, 41 and, 42). During this time period it was reported that over 30,000 individuals emigrated from Estonia to Russia (Article 32). Instead of taking action to acquire their security and rights in Estonia, many Russians chose to flee.

This tense atmosphere eventually came to a head in the summer of 1993. In mid-June, 10,000 ethnic Russians turned out for a protest in Narva against the looming passage of "Law on Foreigners" by the Estonian parliament which would have constituted another restriction of the rights of the Russian minority (Article 43). Reports stated that the protesters proclaimed that "the nonindigenous population will use all available means in exercising its right to self-defense." (Article 44). Another article reported that protesters stated, "according to a Russian tradition, only the black earth will be left for attackers." (Article 45). The protest and the rhetoric utilized by the protesters appears to indicate that the general Russian minority population perceived a security dilemma and was willing to utilize force to attain their security.

The local political leaders in Northeast Estonia held a referendum on July 17th and 18th of 1993 that asked just one question "Do you want Narva to have

the status of a national-territorial autonomous entity?” (Article 46). An estimated 67 percent of Narva’s population turned out for the referendum and 97 percent voted in favor of autonomy (Article 47). However, even before the referendum took place the Government of Estonia deemed the referendum unconstitutional and a threat to the territorial integrity of Estonia (Article 48). The Supreme Court of Estonia reaffirmed the position of the Government and invalidated the referendum (Chronology of Russians in Estonia). One contemporary analysis of the Narva referendum stated that “the referendum in Narva is best explained as an attempt by a traditionalist elite to hold on to political power.” (Raun, Toivo 1994). What is striking is that after the Estonian supreme court invalidated the court there were no farther examples of mass mobilization of the Russian population (Chronology of Russians in Estonia). Despite protesters claiming that they would utilize any means necessary to defend themselves, this rhetoric never resulted in action. The Russian minority appeared to simply accept the ruling of the court and by extension, the continued restriction of their rights.

Implications for Hypothesized Causal Process

The theory of elite manipulation acting as a driver of ethnic conflict is well-established within the literature. However, the precise process that allows elites to manipulate general populations is underexplored. I constructed a hypothetical causal process that drew on the media indexing, media framing, and security dilemma literature. Drawing on the media indexing literature, I hypothesized that media would mimic the rhetoric of elites. I then hypothesized based off the media framing literature that the rhetoric of the media would impact how threatened the general population felt. Finally, I hypothesized based off of the security dilemma literature that the level of threat the minority felt would dictate their actions.

I originally hypothesized that the Russian minority population of Estonia did not engage in ethnic conflict because the political leaders engaged in threat dampening rhetoric. This threat dampening rhetoric, via my hypothesized causal process, resulted in the general Russian minority population feeling less threatened and thus prevented the formation of a security dilemma. This would have then explained why the ethnic Russians did not partake in an ethnic conflict similar to that of the ethnic Russians in Moldova. However, my hypothesis was rejected. I found very little evidence of the Russian political leaders engaging in threat dampening rhetoric. I instead found that political leaders of the Russian minority participated in threat provoking and security dilemma inducing rhetoric. This rhetoric was picked up by the Press, and via media framing increased the perception of the threat that the general population felt. However, even though the rhetoric that was being transferred was actually threat inducing and not threat

dampening the way that it was transferred supports the hypothetical causal process that I constructed. The below timeline illustrates how the increasingly extreme rhetoric of the Political leaders of the Russian minority influenced the rhetoric of the press and furthermore influenced the general population.

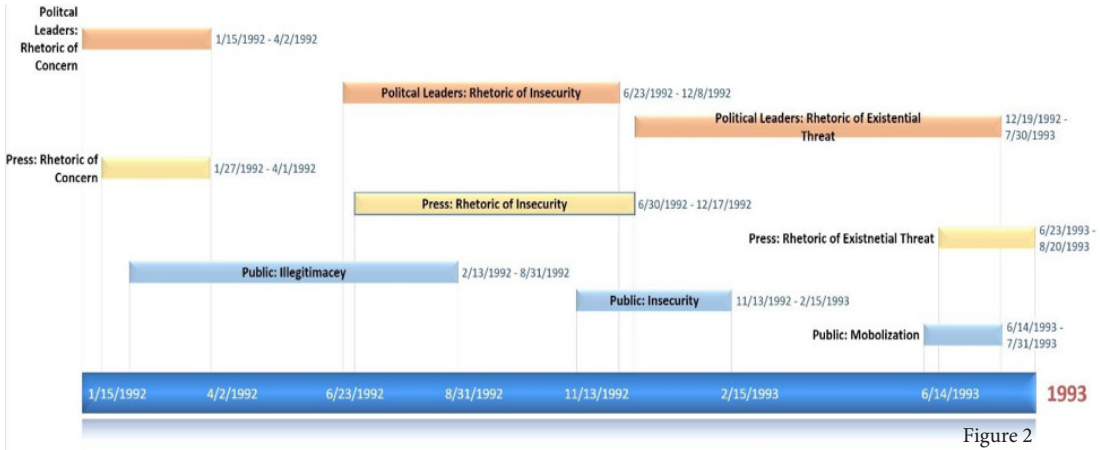


Figure 2

This timeline is based off an analysis of fifty news articles published between January of 1991 and August of 1993. Although this timeline supports my hypothesized causal process the evidence is not conclusive in nature. This analysis lends credibility to my causal model but further analysis of a far greater number of news articles across a variety of cases should be analyzed to establish stronger correlation and causation between the rhetoric of elites, the press and the public perception of a security dilemma.

The Importance of Homeland Legitimacy in the Process of Elite Manipulation

Kaufman outlines how elites of the Russian population of Moldova were able to create an intrastate security dilemma and thus, mobilize the general Russian minority to engage in intergroup conflict (Kaufman 1996). In Moldova and Estonia Kaufman's conditions necessary for elite manipulation to be successful, were present. In addition, this analysis demonstrates that the different path of the Russians in both of these states is not traceable to the behavior of their respective political leaders. Another scholars work could provide insight into the different paths of these similar groups. Toft argues that without this sense of legitimacy an ethnic minority will not engage in ethnic rebellion. (Ibid) Toft suggests that the concept of "majority rule", meaning that a national minority constitutes a local majority, is the most important factor in establishing a sense of legitimacy among a minority ethnic group (Toft 2003, 32). Utilizing Toft's framework of majority

rule, the Russians of Estonia, who made up over 90 percent of the population in Northeast Estonia should have been more likely to engage in ethnic rebellion than the Russians of Moldova who only made up 48 percent of the population of the Transnistria region (Smith 2002, 89, Kaufman 1996, 119). However, as the historical record shows, the Russians of Transnistria rebelled and the Russians of Northeast Estonia did not.

Toft also outlines another variable that she claims is less important, but still plays a role in establishing legitimacy. She calls this variable “homeland”. Toft states that the homeland factor “is the idea that a people with deep roots and a historical attachment to the land have a right to control it.” (Toft 2003, 23). This variable offers significant utility in explaining why the Russians of Moldova rebelled, while the Russians of the Estonia did not. The Russians in the Transnistria region of Moldova had been present there for hundreds of years while the Russians in Narva had most immigrated to that region only after the Second World War (Saar, Krusell, and Helemae 2017, 4). In my analysis of the Russian minority of Estonia I found evidence that suggests that the Russians did not feel like Estonia was truly their homeland. (Lieven 1994, 174-205). Thus, although the Russian minority was willing to mobilize for protest and even participate in a referendum on local autonomy, they were not willing to violently fight for control of a territory that they believe they were not entitled to. After partaking in a protest and referendum the general population had exhausted the self-perceived acceptable avenues to attain their security. This finding suggests that for elites to effectively manipulate the general population to engage in ethnic conflict the population must feel that they have a legitimate claim, based on the homeland principle, to the territory that they reside in. Without this homeland based claim to legitimacy there is a hard limit to the actions that a minority group is willing to take to attain security. Thus, I suggest that a feeling of a homeland claim could be a necessary precondition for minorities to rebel. However, further research is required to legitimize and generalize this theory.

Conclusion

Although my proposed hypothesis is conclusively rejected by an analysis of the data, this study did produce interesting findings. Firstly, this study produced evidence that supported my hypothetical causal model. The model that I constructed is worthy of further testing across a diversity of cases and cross case comparisons. If further testing validates my model it could be utilized to better understand how elites in a society can influence the general population. However, the applications of this model could extend far beyond just understanding patterns

of ethnic rebellion and help understand general phenomena in our political and social world.

Secondly, in the context of the broader scholarship on ethnic rebellion and elite manipulation, this study draws further attention to the role of homeland in understanding why some ethnic minorities engage in rebellion while others do not. This study suggests that without a legitimate claim to the territory that an ethnic minority resides in, derived from the homeland principle, there is a hard limit to actions that an ethnic minority will take to attain their security. Again, this finding is worthy of further investigation across more cases to analyze its cross-case validity.

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PRESIDENTIAL DISCOURSE AND THE U.S. COPTIC DIASPORA: CONFLICTING NARRATIVES OF SECTARIAN VIOLENCE AND IDENTITY IN EGYPT

Nilaya S. Knafo

Abstract

Although Christianity was first introduced to Egypt in 48 AD, acts of sectarian violence targeted towards Egypt's Copts have persisted for centuries. For decades, Egypt's leaders have employed similar discourses of unity and nationalism in response to the growing divide between the nation's minority Coptic Christian community and majority Muslim population. In response to a persistent lack of coexistence between religious and national identity, I argue that Egyptian presidential discourses of unity and nationalism are oftentimes linked to practices of silence in response to the sectarian violence that afflicts the nation. This paper analyzes the rhetoric of Egyptian presidential speeches from 2011-2018, and contextualizes historical discourses following the end of British colonialism in Egypt in 1952. I study the Egyptian Coptic diaspora in the United States as a counter discourse to presidential rhetoric, by focusing my analysis on the juxtaposition of two major events in Egyptian history that impacted minority-majority relations and identity politics: the Arab Spring and the inauguration of the newest and largest church in the Middle East, the Coptic Orthodox Church of the Nativity of Christ in Cairo. I conclude that the lack of consensus between the Coptic diaspora and Egypt's regimes highlights the conflicting nature of identity and nationalism within Egyptian politics and society.

Introduction

On Friday, December 22, 2017, hundreds of demonstrators stormed the Church of al-Amir Tadros in the Kafr al-Waselin village in Giza, calling for its demolition and chanting hostile slogans (*Egypt Independent* 2017). The demonstrators shortly destroyed the church's contents and assaulted Christian

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worshippers in a sectarian violence attack. According to conversations between judicial sources and *Al-Masry Al-Youm*, the building was a house owned by 63-year old Eid Atteya who did not possess a license for his space to serve as a place of worship, which angered Muslim neighbors (*Al-Masry Al-Youm* 2017). Because the process of obtaining a permit to construct or to re-build churches is challenging, as Muslim conservatives carry out more protests and violent acts targeting the nation's minority Coptic population, it has become common for Coptic civilians to hold community prayer services in their own homes (Associated Press 2017). The exacerbation and persistence of sectarian violence in Egypt has become a norm that frames the nation's minority-majority politics. Several days after the attack transpired, the inauguration of the largest church in the Middle East took place in Cairo.

On January 6, 2018, President Abdel-Fatah al-Sisi participated in the historic inauguration ceremony of the Coptic Orthodox Church of the Nativity of Christ. Positive energy and emotions of national pride disseminated throughout the church, as crowds in the audience cheered and clapped, waving Egyptian flags and festively whistling in response to President Sisi's messages conveying the necessity of promoting "love and peace" (*Egypt Today* 2018). Sisi's participation in the inauguration of the Nativity of Christ symbolized a moment of celebration, and was welcomed by many, including members of Coptic Orthodox churches in the U.S. diaspora. Father Anthony Messeh, priest of St. Timothy & St. Athanasius Coptic Orthodox Church (STSA), expressed how "Sisi fulfilled what the Christians were looking for and they gave him their support" (Messeh 2018). The inauguration of the church represented progress and invoked sentiments of trust from many within Egypt's minority Coptic population. Sisi's discourses of unity influenced perceptions of stability and religious tolerance in Egypt. However, his rhetoric veiled persistent sectarian violence attacks occurring throughout the nation such as with the Church of al-Amir Tadros. Michael Meunier, president of the U.S. Copts Association, responded to Sisi's speech at Egypt's newest church by expressing how "unity is old talk. Christianity came before Islam in Egypt and Christians have fewer rights" (Meunier 2018). Although the practice of employing unifying rhetoric is a recurrent trend amongst Egyptian leaders, diaspora advocacy organizations like the U.S. Copts Association question the underlying motives linked with these particular discourses.

Divided discourses, opposing definitions, and contrasting meaning-making practices have influenced the U.S. Coptic diaspora to respond to the rhetoric of unity and nationalism employed by Egyptian presidents. Therefore, my research puzzle revolves around two of the most illuminating questions that are directive to my research: who consists of the U.S. Coptic diaspora, and why are activist members

of this community oftentimes characterized as outsiders from the eyes of Copts in Egypt, the Egyptian government, and the Egyptian Coptic Orthodox Church? And, is there a dominant practice of silence in the form inaction that correlates with President Sisi's rhetoric of national unity? As a result, my research question asks: how do the discourses of unity and nationalism employed by Egypt's presidents from 2011-2018 contrast with those of the U.S. Coptic diaspora movement, in regards to framing Egyptian minority-majority politics?

In addition to my focus on Sisi's presidency and his relations with the Coptic Church, my interviews with Michael Meunier and Father Anthony make my research original. My findings encapsulate a variety of similar and opposing perspectives, as my research incorporates the personal viewpoints of both diaspora activists and religious leaders. My two interviews enhance existing research, by bridging the gap between local and international levels of diaspora relations from both a U.S. standpoint and an Egyptian standpoint. While Father Anthony was born and raised in the United States to Egyptian immigrants, Meunier grew up in Egypt and started his life in the U.S. during his university years. Although each interviewee is part of nearby communities in the U.S. Coptic diaspora in Virginia, each has a different background that shaped his perspectives of Egyptian minority-majority relations.

My literature review is structured into three parts that consist of a historical analysis, a religious and political analysis, and a cultural analysis. The central historical and political contexts that primarily influenced my analysis of the application of discourses of nationalism and unity that I chose to explore were the Arab Spring during Mubarak's regime; the inauguration of the Nativity of Christ in Cairo; and the U.S. Coptic diaspora's reactions to these two events. Although each influential event is different in regards to time, regime, and motives, each has the ability to demonstrate how presidential speech employs similar terms that express unity and nationalism throughout contemporary history, when leaders engage with or respond to the Coptic community. As I explored the rhetorical comparisons and contrasts of Egyptian presidents and the U.S. Coptic Diaspora in response to the varying natures of these two occurrences, I found that Egyptian presidents utilized discourses of unity and nationalism to create an image of Egypt's advancement towards religious coexistence. On the contrary, outspoken members of the diaspora community in the United States expressed a counter discourse. The diaspora's discourse can be connected to the influence that American ideals such as freedom of expression and of religion have had on U.S. Coptic retaliation towards the Egyptian presidency, in regards to the framing of minority-majority politics.

President Gamal Abdel Nasser spoke to an audience at the Mary Guergis



Church in Tanta on December 31, 1953, communicating how “we together are people of one homeland, we work for the benefit of the country and it’s dignity, and we are united to work for the pride of the country and the freedom of the country” (Nasser 1953). Nasser’s rhetoric reveals how the discourse of unity has the power to place Egyptian nationals as citizens first, while considering their religious backgrounds as second. Although both Nasser and Sisi recognize the diverse religious values of their people, their choices to address Egyptians as equals regardless of religion veils the reality of Egypt’s challenge of responding to the religious intolerance that continues to exist in the country today. The questions explored in my research are pertinent to consider, to comprehend the historical contextualization and the underlying roots as to why sectarian violence continues to exist in Egypt.

Literature Review

Historical Analysis: Nationalism in Egypt

This school of thought focuses on a historical analysis and creates a timeline of how national and religious identity pose challenges to minority-majority relations, coexistence, and societal integration. The scholars in this group allowed me to historically contextualize the rise of nationalism in Egypt, starting from a post-colonial time frame. I utilized the following scholarly discussions revolving around Egyptian regime change, to link the rise of nationalism to the increase of Coptic intolerance and its impact on the Coptic exodus to the United States. My focus on Sisi’s leadership complements existing research, because scholars have not extensively explored Egypt’s current presidency in regards to the Coptic diaspora.

Following his participation as a Free Officer aspiring to overthrow the constitutional monarchy during the Egyptian Revolution of 1952, Gamal Abdel Nasser named himself Egypt’s prime minister in 1956 (St. John 2017). Coupled with anti-imperialist sentiments related to Britain’s colonial influence, Nasser’s 1956 presidency came with a rigid generation of Egyptian nationalism, associated with a pressure to choose between religion and devotion to country that hindered societal integration of religious minorities. In “Coptic Christian Practices: Formations of Sameness and Difference,” Lise Paulsen Galal wrestles with religious and secular perspectives that juxtapose minority and majority narratives of Egyptian Copts. As Galal argues how Egyptian identity for Copts is constructed based on religion, priest and engineer Midhat ‘Abd al-Malik Muhanni equates being an Egyptian to the secular notion of possessing a common language rather than an identical religion (Galal 2012, 52). However, contrasting from Muhanni’s patriotic rhetoric, Galal claims that Coptic Christianity “constructs the membership of Copts in

the Egyptian nation by virtue of their Christian identity" (Galal 2012, 52). As she gathers data from her ethnographic fieldwork in Egypt, Galal highlights the differing narratives of national belonging within public and private spheres in Egypt.

Similar to Galal's identity politics discourse, Vivian Ibrahim claims that national unity following the collapse of colonialism is a myth that has transformed Egypt's political trajectory. In "Beyond the Cross and the Crescent: Plural Identities and the Copts in Contemporary Egypt," Ibrahim acknowledges the framing of social public versus private spheres in relation to religious orientation, the "privatization of religious belief," and national affiliation (Ibrahim 2015, 2587). She argues that the Egyptian state's misleading image of national unity has led to the escalation of "'invisibility' of the Copts in the contemporary political landscape, with minority rights being subjugated to national needs" (Ibrahim 2015, 2589). Following the increase of terrorist attacks targeted towards Copts in the 1980s, the marginalization of the minority community continued to grow while their political integration diminished. Egyptian Copts became increasingly dependent on the government's empathy and cooperation in order to secure protection.

In *The Challenge of Political Islam: Non-Muslims and the Egyptian State*, Rachel Scott explores the impacts of President Sadat's 1971 ratification of a new Egyptian constitution influenced by Islam. She notes how Article 2 stated, "Islam is the religion of the state, Arabic is the official language, the principles of the Islamic *shari'a* are a main source of legislation" (Scott 2010, 46). Because the Islamization process merged Islam and politics, it resulted in an increased marginalization of the Copts, as it "undermined the development of secular citizenship that had occurred in the interwar period" (Scott 2010, 68). Furthermore, increased fear of Coptic legitimacy weakening Egypt's Islamic identity led to an escalation of Sadat's hostile relationship with Coptic Pope Shenouda III, particularly when the president accused the pope of planning to establish a separate Coptic state in Upper Egypt's Assyut province (Scott 2010, 69). In regards to the uncooperative relationship between Sadat and Pope Shenouda III, Samuel Tadros claims, "Sadat's greatest crime is that he, more than any ruler of Egypt, threatened to destroy the country's sectarian social fabric with his attacks and accusations against the Coptic Church" (Tadros 2014, 135). As a result, intolerance and persecution of Copts reemerged during the time of Sadat's regime, because the president's rhetoric against the nation's Coptic community fortified Islamist extremists and their missions to persecute Copts. The personal dynamic between pope and president highlights the impact that Church and state relations have on religious minority-majority politics in Egypt.

Religious/Political Analysis: The Coptic Orthodox Church in Egypt

The next school of thought included in my research is both religious and political. The purpose of this group's focus is to contextualize the lack of secularism in Egypt and to call attention to how the volatile nature and lack of balance in relations between popes and presidents impact Egypt's Coptic citizens and their identities throughout history. The following scholars highlight how religion and politics are intertwined, particularly in the hierarchical nature of the church and its occasional efforts to act as a voice for the Coptic people. This religious and political school of thought complements a later analysis of my conversation with Father Anthony about the challenges that inclusion of culture and politics within the church's religious space has generated. Discourses about the Coptic Orthodox Church offer insight into the lack of transparency and freedom of expression, regarding representations of Egypt's Coptic population, and this school of thought links conversations about Egypt's historic roots of nationalism with identity politics of the Coptic diaspora.

In "The Copts and the Egyptian Revolution: Various Attitudes and Dreams," Magdi Guirguis traces the history of Pope Shenouda III's transformation from his election as the 117th patriarch of the Coptic Church in 1971 until his death in 2012. During the first phase of Pope Shenouda III's tenure from 1971-1981, the new pope was popular and did not fear challenging the regime. However, in 1979 when President Sadat signed a peace agreement with Israel, Pope Shenouda III responded in 1980 with a radical decree preventing Egyptian Copts from visiting Jerusalem (Guirguis 2012, 518). As a result, Sadat removed Pope Shenouda III from his position and confined him in the St. Bishoi Monastery (Guirguis 2012, 518). After Pope Shenouda III was removed from exile in 1985, he faithfully supported Mubarak's regime. For example, during the Arab Spring, Pope Shenouda III asked the Coptic population to boycott demonstrations (Guirguis 2012, 518). By advising Copts not to protest during the Arab Spring, he contributed to a split within the Coptic Orthodox Church. When he defined protest as an act of defiance against the church, the pope prioritized national identity and belonging for the Coptic minority. According to Guirguis, the pope's exile allowed him to recognize how "strengthening his relationship with figures within the regime was the only way to guarantee the security of his power" (Guirguis 2012, 523). Therefore, the shifting priorities and relations between Pope Shenouda III and Egypt's presidents reflect a manipulation of power by the Coptic Church that parallels with the motives of the Egyptian regime.

Similarities in the nature of relationships between popes and presidents remain evident throughout disparate regimes in Egypt's history. For example, in "Vicissitudes in the Entente between the Coptic Orthodox Church and the State

in Egypt (1952-2007)," Mariz Tadros explains how personal connections between popes and regimes have had the power to strengthen or weaken connections with Egypt's minority populations. Unlike Pope Shenouda III's tense relationship with Sadat, Pope Kyrillos VI's amicable and informal alliance with Nasser generated a sustainable entente with the Coptic community. Tadros suggests that political support in exchange for protection aided the Coptic population while providing the regime with the power that it sought.

Cultural Analysis: Identity and the Coptic Diaspora

In "The Coptic Diaspora and the Status of the Coptic Minority in Egypt," Bosmat Yefet reflects upon how "although the Coptic diaspora is part of the Egyptian diaspora, it is also the diaspora of a religious minority that experiences discrimination in a Muslim country" (Yefet 2016, 1207). The exodus of Christians from the Middle East is not a recent phenomenon, and Coptic Christians are not the only minority religious sect confronted with discrimination in the region. For example, according to "Forced Exodus: Christians in the Middle East," Roland Flamini communicates how "almost half of Iraq's Christians have left since the 2003 invasion...once a majority, Lebanon's million and a half Christians- most of them Maronite Catholics- now account for thirty-five percent of the population...tens of thousands of Syrian Christians have fled from cities such as Aleppo, Homs, and Qusayr in the face of Islamist rebels" (Flamini 2013, 67). However, similar to the flight of other Christian minority communities from the Middle East, Egyptian Copts of the diaspora continue to feel a connection to their homeland, as expressed through their discourse and advocacy efforts on behalf of their remaining Coptic brothers in Egypt.

In my research, I drew on literature reflecting upon identity and the contrasting narratives and values of Copts in Egypt and Egyptian Copts in the diaspora. The following cultural analysis served as part of my introduction to the scholarly conversations revolving around the counter discourses of the Egyptian Coptic diaspora, in relation to the rhetoric of nationalism and unity employed by Egyptian presidents. The following scholars consist of sociologists and anthropologists focusing on culture and identity. A main feature that unifies these scholars is the recognition of a disparity of thought between Copts in Egypt and Copts in the diaspora regarding interpretations of Coptic relations with the Egyptian state, methods of activism, and definitions of minority-majority politics in Egypt.

In "Good Copt, Bad Copt: Competing Narratives on Coptic Identity in Egypt and the United States," Yvonne Haddad and Joshua Donovan analyze the relationship between the Coptic community in Egypt and the Coptic diaspora

community in the United States. They claim that “a growing fear of Muslims in America,” American “neo-conservatism,” and support for the right to intervene abroad explain the root causes of misunderstanding and disagreement between the Coptic diaspora and Copts in Egypt (Haddad et al. 2013, 211). The scholars explore how rather than supporting the Coptic Church’s efforts to promote unity amongst the nation’s Muslims and Christians, groups within the Coptic diaspora emphasize acts of persecution against Copts in Egypt in order to influence U.S. foreign policy. For example, the American Coptic Association lobbied for the passing of U.S. Congress’s International Religious Freedom Act in 1998. This bill contained a provision that defined and ranked countries based on their violations of religious freedom (Haddad et al. 2013, 219). In response to countries noted in the section of “Countries of Particular Concern,” the President of the United States would be required to apply at least one of the actions specified in the law, such as sanctions, to pressure reform within the target country (Haddad et al. 2013, 211). Haddad and Donovan communicate how Egypt’s Copts did not welcome the intervention of diaspora Copts because of a long-held skepticism of Western intervention in national affairs connected to Egypt’s colonial agreements (Haddad et al. 2013, 211).

“Digital Diasporas and Governance in Semi-Authoritarian States: The Case of the Egyptian Copts” informs Haddad and Donovan’s analysis of how the Coptic diaspora frames their narratives. Jennifer M. Brinkerhoff investigates how the U.S. Copts Association’s use of information technology facilitates an exchange of information aimed towards Copts in Egypt. When speaking with Brinkerhoff during an interview, Michael Meunier, president of the U.S. Copts Association, communicated how his nonprofit’s website “is geared to educate the Copts in Egypt about their rights...things they would never hear about in Egypt, including the atrocities committed against Copts in Egypt and efforts to prosecute the alleged perpetrators” (Brinkerhoff 2005, 199). Meunier’s discourse suggests an attempt to shape the meaning-making practices of Copts in Egypt through the promotion of transparency and the encouragement of responsiveness that accompanies the interactive components of his website’s communication networks.

However, in “With Friends Like These: Coptic Activism in the Diaspora,” Michael Wahid Hanna highlights challenges to diaspora activism, as he argues, “the Egyptian government has long sought to tarnish Coptic diaspora activism as foreign and an attack on national sovereignty, dignity, and unity” (Hanna 2013, 28-31). He explains how the portrayal of diaspora activists as “a handful of outsiders” has enhanced the Egyptian government’s efforts to downplay the impact of minority persecution and politics in the nation (Hanna 2013, 28-31). Hanna’s analysis connects to how the discourse of unity and nationalism employed

by Egyptian presidents frames minority-majority politics by placing an emphasis on a common national identity before religious affiliation.

Methodology

Contexts and Mapping for Exposure

The birth of Christianity and Islam originated in the Middle East, and for centuries each religion's followers have inhabited the region. According to Alexandria's Takla Church, Saint Mark introduced Christianity to Egypt in 48 AD as he completed writing the world's oldest canonical gospel (St. Takla Haymanout Coptic Orthodox). Approximately half a century after Saint Mark's arrival to the region, Christianity rapidly spread, making Alexandria the center of Coptic Christianity in Egypt (St. Takla Haymanout Coptic Orthodox). However, during the Byzantine Empire and the turn of the 7th century, the rise of Islam in Egypt increased forms of economic, political, and social discrimination that the nation's Coptic Christian denomination encountered (Fitch 2015). The rise of Islam and its connection to Egypt's political framework continues to impact minority-majority tensions. Religious intolerance, the rise of Islam and its connection to Egyptian nationalism, and increases of sectarian violence targeting Copts have threatened the harmony and mutual understanding between Egypt's minority Coptic population and its Muslim majority neighbors. Influenced by a common trend of presidents employing discourses that emphasize unity and nationalism that continue to appear during the high points of sectarian violence towards Egypt's Coptic population, the history of religious discrimination of Egypt's Copts continues to prevail.

Throughout my research, I analyzed the specific discourses of nationalism and unity conveyed throughout Egyptian presidential speeches. I was particularly curious to explore how these discourses influenced the rhetoric and social advocacy practices of Egypt's Coptic diaspora, a counter discourse. The primary sources that I utilized to affirm the existence of these particular discourses were found in archives and videos of speeches made by Egypt's presidents. I accessed Sisi's speeches on the Egyptian government's official website, while I obtained Nasser's speeches from the Gamal Abdel Nasser Digital Archive that was established in cooperation with Bibliotheca Alexandria. I obtained Sadat's speeches from the University of Maryland's Anwar Sadat Chair for Peace and Development, and transcripts of Mubarak's speeches were accessed from online news outlets.

The discourses of the Coptic diaspora were accessed from fieldwork included in my literature review, and from two interviews that I conducted. I held one interview with Michael Meunier, president of the U.S. Copts Association, and



another with Father Anthony Messeh, priest of St. Timothy & St. Athanasius Coptic Orthodox Church in Virginia. By drawing from my interactions with both Meunier and Father Anthony, my findings convey that the Coptic diaspora in the U.S. is not homogenous. My research is unique because it includes two local diaspora perspectives, one from a nonprofit advocacy association and the other from a religious organization. Each conversation contributes to my overall analysis of how Coptic national and religious identity is framed in both Egypt and in the U.S. Both interviews touch upon how relationships between church and state, president and pope, and institutions associated with Egypt's Copts and the U.S. Coptic diaspora influence Egypt's minority-majority politics.

Organizations within the Coptic diaspora in the U.S. champion various priorities, encourage diverse methods of advocacy, and speak to different intended audiences. I first became aware of these discrepancies when consulting "The U.S. Coptic Diaspora and the Limit of Polarization," by Nadia Marzouki. In her research, Marzouki discusses the division and lack of coordination amongst Coptic diaspora organizations in the U.S. On one side of the spectrum, The Coptic Assembly of America dedicates its efforts to inform the American public about the challenges confronted by the Copts in Egypt. It does so by defining its messages and mission through rhetoric related to human rights and equal citizenship (Marzouki 2016, 264). On the other hand, the National American Coptic Assembly has spread "a violently Islamophobic and bigoted message," and its leader Morris Sadek took part in translating and promoting the Islamophobic short film, "The Innocence of Muslims" (Marzouki 2016, 264). In the middle stands the U.S. Copts Association, which Marzouki describes as a small organization that "combines a fierce critique of Islamism and the Muslim Brothers with calls for full citizenship for Copts" (Marzouki 2016, 264). I chose to interview Michael Meunier, president of the U.S. Copts Association, because the organization draws on elements and values from both extremes of the spectrum of diaspora organizations, as well as for its active lobbying efforts in Congress.

Michael Meunier's personal experiences of facing discrimination as a Coptic Christian in Egypt during his youth inspired him to found the U.S. Copts Association. His passion for advocacy began when he traveled to the U.S. to begin his studies at Virginia Tech. In college, he created an organization for Coptic youth and started to write, in the hope of making the world more aware of the intolerance that Egypt's Coptic population had been facing. Integrating in American society and welcoming ideals of democracy, freedom of speech, and freedom of religion shaped Meunier's discourses while strengthening his relationship with Egypt.

Father Anthony's story is different from Meunier's. Born in the United States to Egyptian immigrants, Anthony Messeh was chosen by his community to

become a priest and was ordained in Egypt in 2011. Messeh's church, St. Timothy & St. Athanasius Coptic Orthodox Church (STSA), is an Americanized place of worship that attracts a particular group of individuals, many of whom are not first-generation immigrants. With approximately 30% of non-Egyptian congregation members and with services conducted only in English, the church focuses on the religion's orthodox roots and faith, rather than just on Egypt. Unlike other local Coptic churches in Virginia, STSA's focus is not to create a space that is both cultural and religious. Instead, Father Anthony strives to embrace diversity within the church by creating an environment where all feel welcome and can unite with a shared faith. In our conversation, Father Anthony expressed how even though the church is dynamic and always evolving, "what we believe in never changes" (Messeh 2018). This can be related to Father Anthony's perspective that in Egypt, culture and faith are oftentimes mixed together which can create tensions with identity, in regards to choosing Coptic heritage versus Egyptian nationalism (Messeh 2018).

As I acknowledged the power relationships amongst the actors and discourses that I researched, I found the discourses of Egyptian presidents to be dominant because they hold the utmost amount of power. Furthermore, although Father Anthony only traveled to Egypt approximately three times since being ordained as a priest in 2011, STSA still has a harmonious relationship with the Coptic Orthodox Church in Egypt. Because there is no local diocese, Father Anthony occasionally travels to Egypt to meet with the pope to make sure that his church is in line with the pope's vision of the faith, and to gain approval and blessings to buy new land for his local church. On the contrary, because of their outspoken nature, members of the Coptic diaspora activist community are oftentimes perceived as outsiders by Copts in Egypt and by the Egyptian Coptic Orthodox Church. It is common for the Copts in Egypt and the Egyptian Coptic Church not to support the diaspora's activism and discourses.

Evidence Generation and Data Analysis

The specific cases that I identified for my analysis were based on the primary source data that I generated. I organized my research into three parts: presidential discourses in 2011 during the Arab Spring; presidential discourses in 2018 during the inauguration of the Coptic Orthodox Cathedral of the Nativity of Christ in Cairo; and the U.S. Coptic diaspora's responses towards both of these events. For the purpose of contextualization, I also generated data from a speech delivered by Mubarak to an intended audience of Egypt's youth on the night of February 10, 2011, in response to ongoing protests in Tahrir Square during the Arab Spring. The Arab Spring threatened Mubarak's power and dictatorship, and in the hopes of calming the protests and the current situation, he employed



similar patterns of unifying and nationalist discourses as Nasser had. To allow for multiplicity in meaning, I generated data from my interview with the U.S. Copts Association, based on the organization's responses to the Arab Spring and to this particular speech made by Mubarak.

In addition, I explored President Abdel-Fatah Al- Sisi's speech during his inauguration of the Nativity of Christ, in Cairo, on January 6, 2018. This particular speech allowed me to better comprehend my research problem from the perspective of Egypt's current president, and how he has responded to the violence and injustices that his nation's Coptic population has endured. Sisi's leadership has not been studied in depth in regards to the recent inauguration of the Nativity of Christ that took place last year, which allows me to contribute to existing scholarship. My evidence also incorporated the diaspora's perspective regarding the church's recent inauguration, as I drew from my ethnographic interview with Michael Meunier and Father Anthony. By including both interviews, my research recognizes that the Coptic diaspora community in the U.S. is not homogenous in regards to perceptions of politics and culture. I found that personal background and experiences contributed to how these perspectives were formed.

Evaluative Standards

Before I conducted my research, I had not been exposed to the situation of Egypt's Copts in much detail apart from newspaper articles in *The Wall Street Journal* and *The New York Times*. I traveled to Egypt with my family in 2010 before the Arab Spring, but my exposure to religious minorities and to Egyptian culture was limited because of the short duration of my stay. As a result, my personal and academic identities did not impact the potential biases that I could have drawn from earlier on.

In addition, prior to my interview with Michael Meunier of the U.S. Copts Association, I recognized the organization's mission to serve as an educational resource targeted towards spreading awareness to the general American public, the U.S. Coptic diaspora, and the Copts in Egypt about sectarian violence. While the non-profit's website documents cases of human rights violations of Copts in Egypt, the organization's members actively lobby Congress and teach about the persistent violence targeted towards Egypt's Coptic population. I was aware of Meunier's openness and willingness to speak with me and to answer my questions. In addition, I recognized the relationship between the Coptic Orthodox Church and STSA of Virginia and made this transparent in my research. Because there is not a local diocese with a bishop that has decision-making power, Father Anthony's primary point of contact is Egypt's Pope Tawadros II.

My research reflects upon the leading discourses of both the Coptic

diaspora community and Egyptian presidents regarding minority-majority politics, and recognizes disparities in thought, definition, and interpretation of intolerance and persecution targeting Copts in Egypt. By analyzing the disparate relationships between each group, I acknowledged the diverse cultural contexts and values that differentiate each contesting discourse.

Analysis

Nationalism and Unity during the Arab Spring

I claim that the Arab Spring's unstable political climate contextualizes a repositioning of minority-majority politics in the nation during and following this contemporary turning point in Egyptian history. I base my claim on evidence connected to how the Arab Spring threatened the legitimacy and authority of the Egyptian government. The Arab Spring impacted Mubarak's power and dictatorship. Mubarak's use of assertive declarations of unity and nationalism prioritized nationalism before religious identity, in the hopes of calming the protests and the current situation.

In "‘Christophobia’ Reconsidered: The Copts One Year after Egypt's Uprising," Vivian Ibrahim recounts how during the Arab Spring the unity of Egyptians beyond religion was discernible, as "Copts stood guard over Muslims as they performed Friday prayers in the square, while Muslims in return stood guard over Coptic Sunday mass" (Ibrahim 2012). In contrast with the history of tense relations between Egypt's Muslim majority and its Coptic minorities, this particular act of solidarity during the Arab Spring acted as a turning point. Regardless of religion, members of both groups joined together and offered protection to one another as they participated demonstrations against a common target, the regime.

On February 10, 2011 in response to ongoing protests in Tahrir Square, Mubarak delivered a speech to an intended audience of Egypt's youth. In his speech, he communicated how Egypt is indestructible because "the spirit [of determination] is going to live in us as Egypt is going to long live...and it's going to be in the hearts of our youth... and the hearts of Copts and Muslims and all of those who are going to live on this soil" (CNN 2011). However, as expressed by Samuel Tadros, the discourse of unity and nationalism in Egypt contradicted itself, because it distinguished two groups from one another, the Copts and the Muslims. Tadros explains how the public recognition of Copts as a "collective body" associated with religion, conflated with the views of liberal nationalists who "rejected the Coptic claim to exclusivity" (Tadros 2014, 134). In response, "the liberal nationalists thus became anti-Coptic," because they perceived Coptic identity and their claims to exclusivity to be threats to Egyptian identity, which was based on claims of historic

connection to the land (Tadros 2014, 134). As a result, Copts who shed parts of their religious identity could then seek national belonging in the public sphere.

When asked about his thoughts on the Arab Spring and the unity between Christians and Muslims in Tahrir Square, Michael Meunier of the U.S. Copts Association communicated how during that particular time, “I was working inside Egypt and founded the Hiya opposition party” (Meunier 2018). Meunier was present in Tahrir Square during the protests, which allowed him to have a personal connection to the uprisings and to directly interact with the Copts in Egypt. Although Meunier expressed how Mubarak’s speech was emotional, he continued by stating how “the regime and the [Muslim] Brotherhood killed the unity” during the protests (Meunier 2018). The Tahrir Square protests can be interpreted as moments in which national identity preceded religious identity, as Egyptian Muslims and Christians united to demonstrate against a common target, the regime.

In “Egypt Confronts Economic and Security Challenges as it Attempts to Regain its Position in the Arab World,” Seth J. Frantzman reflects upon how “Sisi’s ascension to the presidency is sometimes seen as returning Egypt to its pre-2011 political landscape” (Frantzman 2017, 1). In January 2016, the fifth anniversary of the Arab Spring, Sisi addressed the Egyptian people saying, “Egypt today is not the Egypt of yesterday. We are building together a modern, developed, and civilian state that upholds the values of democracy and freedom” (*Al Jazeera* 2016). In his speech, Sisi insists that the gradual process of democratization has the power to lead to political and social stability within Egypt. His rhetoric parallels with that of Mubarak who concluded his speech by stating, “we are going to prove that we the Egyptians...are not followers to anybody” and “with a sense of unity and solidarity of its people and by putting Egypt’s pride and dignity above all,” Egypt’s spirit will continue to grow strong (CNN 2011).

The chaos of the Arab Spring has created challenges for Egypt and the state’s priorities, as it struggles with confronting its history and foreign relations with the U.S. Frantzman’s “Egypt Confronts Economic and Security Challenges as it Attempts to Regain its Position in the Arab World” conveys how “there is a general view that the West and America in particular does not understand Egyptians” (Frantzman 2017, 6). This perspective informs the responses of Egypt’s Coptic community to the counter discourses embedded in Coptic diaspora activism initiated by individuals who live outside of Egypt’s borders.

When I spoke with Father Anthony about the Coptic diaspora’s responses to the Arab Spring protests, he communicated how “during the

Mubarak years, tension was stronger in the U.S. than in Egypt" because in the U.S. "the idea that you 'fight for your rights' exists" (Messeh 2018). The influence of American ideals on the U.S. Coptic diaspora led individuals like Meunier to embrace the freedom to protest during this particular time. In response to Mubarak's discourse, Father Anthony expressed how "Mubarak always said the right things, but there was not necessarily action, and people wanted to protest" (Messeh 2018). The act of protest created a shift within the Coptic Orthodox Church in Egypt. For example, Pope Shenouda III, who had a working relationship with Mubarak that was focused on diplomacy, advised Copts not to participate in the protests. Father Anthony explained how "if Shenouda said not to protest and advised against it, people wouldn't protest. This was frustrating for some people, because it was like they were going against their faith" if they chose to protest (Messeh 2018). When he defined protest as an act of defiance against the church, Pope Shenouda III took a political stance from his religious standpoint. By following Mubarak's public requests to deescalate protests, Pope Shenouda III emphasized national identity and belonging for the Coptic minority population, therefore connecting religion to Mubarak's idea of nationalism.

The Inauguration of the Coptic Orthodox Church of the Nativity in Cairo

As a result of my analyses of primary and secondary source documents, Egyptian presidential speeches, and my interview with Michael Meunier, I claim that President Sisi utilizes his discourses of unity and nationalism to create an image of Egypt's stability and religious tolerance within its borders. I base my claim on evidence of how Sisi's unifying discourse can oftentimes veil issues of discrimination and violence targeted towards Copts in rural Egyptian territories, particularly in the case of his participation in the inauguration of the Coptic Orthodox Cathedral of the Nativity in Cairo in 2018. However, from my interview with Father Anthony, I also claim that because Sisi contributed to the construction of Egypt's largest cathedral, the president received an exchange of political support that he sought from the nation's minority population.

The process of building churches in Egypt is a contentious issue that is oftentimes linked to increases in sectarian clashes, and obtaining a permit for church construction is a complicated and extensive process. Article 235 of Egypt's 2014 constitution recognizes the parliament's power to reform regulations for church construction (Sharp 2018, 13). In 2015, the U.S. Department of State released its annual International Religious Freedom Report on Egypt, noting how Egypt's constitution recognizes Islamic sharia law as its primary source of legislation, and how the parliament decides whether or not churches will be constructed or renovated (U.S. Department of State 2015). In 2016 the Egyptian

government amended the law without consulting civil society activists and the Coptic population, making the approval of church constructions and renovations the responsibility of local governors instead of the parliament (Sharp 2018, 13). Pope Tawadros II welcomed the amendment and expressed, “the passing of the new law bandaged long-lasting wounds of stability and citizenship” (The Coptic Orthodox Cultural Center 2016). On the contrary, human rights organization Egyptian Initiative for Personal Rights (EIPR) communicated, “a special law to regulate the construction of churches already sends a discriminatory message that the state distinguishes Christian citizens from Muslim citizens” (El-Faizy 2016). Legal elements of Egypt’s constitution regarding places of worship affect the framing of minority-majority politics, as they highlight conflicting narratives of identity and whether or not religion should precede nationality.

Sisi utilized the milestone of the inauguration of the Coptic Orthodox Cathedral of the Nativity in Cairo as the largest church in the Middle East, to signify advances towards the coexistence of Egypt’s Coptic minority with its Muslim majority population. On January 6, 2018, Sisi addressed an audience of Egypt’s Coptic population during the cathedral’s inauguration ceremony, promoting messages of “love and peace,” “unity,” hope, and reassurance (*Egypt Today* 2018). Sisi phrased his rhetoric to encompass a positive and unifying tone, promoting the notion that national identity precedes religious belief. For example, at the end of his speech he raised one fist in the air and stated, “no one can harm Egypt as long as we are all one” and then repeated twice, “whoever wants to harm us divides us... that will not happen” (*Egypt Today* 2018). Sisi reiterated how “love and peace will come out from Egypt and spread to the whole world,” because “we [Egyptians] offer an example of love and peace among us” (*Egypt Today* 2018). His statement revealed how the new church offered a unifying message to Egypt and to the world in response to ongoing acts of sectarian violence. This interpretation of Sisi’s speech explains how Coptic diaspora organizations employ their discourses and methods of activism in response to this particular event.

When interviewing Michael Meunier I asked if he thought the creation of the church was a success to be celebrated. In response, Meunier stated how “Sisi is working on building a new Cairo. He can grant land for a big church, because there will be a lot of focus on this decision that will work in favor for him. But at the same time that Sisi did this, dozens of churches were closed in small rural villages” (Meunier 2018). Meunier told me how days before the church’s inauguration, the destruction of rural churches took place, such as in the case of the Church of al-Amir Tadros. He expressed how he believed that “Sisi has double standards. He uses his tactics to give the West and the world bigger things to look at instead,” referencing the inauguration of Egypt’s newest church in Cairo (Meunier 2018).

When asked if the inauguration of the Coptic Church in Cairo would lead to more churches being built in Egypt, Meunier stated, "this inauguration will not make any difference in anything" (Meunier 2018). He communicated how the idea of unity is not a new phenomenon and how the government fails to implement the rule of law in rural Egypt where corruption, discrimination, and property theft frequently take place. The construction of the new church was met with resistance by part of the diaspora, because although the state funded the church's construction, smaller churches throughout Egypt continued to be attacked or closed.

On the contrary, part of the diaspora welcomed the inauguration of the church. During my interview with Father Anthony, I also asked if he thought the inauguration of the church was a success. Father Anthony responded by communicating, "Sisi fulfilled what the Christians were looking for and they gave him their support. Sisi needs the support of the Christians, which he has after this church was built. But, he also needs the support of the Muslims in the country. He is looking for a balance" (Messeh 2018). The church is also perceived as a statement of progress for the Coptic community in Egypt, because legal barriers for church construction exists. This is one reason why the majority of churches in Egypt are large in size and congregation. Although Father Anthony expressed how he thinks "no new churches will probably be built in Egypt, even after the cathedral was inaugurated," the process of building this church created responses of "trust and progress" from the Coptic community (Messeh 2018). According to Father Anthony, "Sisi is doing what is right and fair. He built Egypt as secular, and this is what people want to bring business and food to the table. The economic focus will help Christians" (Messeh 2018). To Father Anthony, the lack of tourism and economic expansion in Egypt is a common complaint for both Christians and Muslims. The inauguration of the church has the potential to boost Egypt's image and economy.

Nonetheless, it is important to recognize that the Coptic population in Egypt is a minority. Father Anthony expressed how one of the biggest challenges that the Coptic population in Egypt faces is safety, especially when going to church. He stated, "we in the U.S. are afraid for them, but going back to church every time there is an attack strengthens the Copts in Egypt" (Messeh 2018). From his perspective, "the Coptic Church has never been in power. Power corrupts and leads to problems and to faith problems. The Copts have always been a persecuted minority, yet their faith is strong. The persecution has led to the strength of the church" (Messeh 2018). According to Father Anthony, unity within the church should be achieved by connecting people based on shared religion rather than culture. Even though Father Anthony is part of the Coptic diaspora, his church's mission focuses on creating unity within the church based on shared faith and



religious identity.

I recognize that objections to my claims may express how the inauguration of the Coptic Orthodox Church of the Nativity is indeed a milestone for Egypt, because it is an effort made by the Egyptian government to move one step closer towards achieving tolerance. However, why do these efforts to create tolerance fail to halt the persistence of sectarian violence towards Copts in the region? The establishment of legal discourses by Egypt's government offers insight into the lack of alignment within identity politics in the nation. According to the newest amendment to Egypt's constitution regarding church construction, security provisions were implemented, warning that sectarian violence could impact the denial of issuing building permissions for churches (Meunier 2018). There is a profound contrast between creating an image of unity and embracing unity in the reality of everyday life.

Conclusion

In conclusion, the division and lack of coexistence between national and religious identities in Egypt further hinders efforts to generate tolerance between Egypt's minority-majority politics and relations. Recognizing religious identity before national identity has the power to exacerbate a lack of national coexistence when considering the deeper meanings and characterizations of what it means to be an Egyptian and what it means to be a Copt. Throughout history, Egypt's presidents have employed discourses of nationalism and unity to express that regardless of religion, Egyptian roots connect all citizens. From Nasser who drew on discourses of unity and nationalism after the fall of British colonialism in Egypt, to Mubarak who employed similar patterns of rhetoric during the rise of the Arab Spring, Egyptian leaders have employed these discourses to create images of Egypt's advancement towards a tolerant society.

However, dominant practices of silence correlate with the nationalism and unity rhetoric utilized. This practice of silence is characterized by the lack of action and response by Egyptian presidents. For example, days before president Sisi participated in inaugurating the Coptic Orthodox Church of the Nativity, smaller churches in Egypt's rural areas, such as the Church of al-Amir Tadros, continued to be attacked and closed. In addition, the lack of balance and flexibility in relations between popes and presidents has had the power to transform relations and representations of the Coptic population and Egypt, therefore impacting Egypt's Coptic citizens. Choosing to align with the regime and its political endeavors can be interpreted as an exchange that has the power to protect the pope's authority and to offer protection to the nation's Christian minority population.

As I focused my analysis on the juxtaposition of two major events: the Arab Spring in Egypt and the turmoil and chaotic environment that it generated, and the inauguration of the Middle East's largest church, the Church of the Nativity in Cairo, I was provided with the opportunity to examine rhetorical comparisons and contrasts between Egyptian presidents and the U.S. Coptic diaspora in response to the varying natures of these two occurrences. I found the diaspora community was deeply influenced by American ideals such as freedom of expression and of religion that influenced its counter discourse and the advocacy community's retaliation towards the Egyptian presidency in regards to the framing of minority-majority politics. The diaspora draws attention to the sectarian violence and discrimination in Egypt by framing and defining the nation's Copts as a minority population. The lack of consensus between the Coptic diaspora and the Egyptian regime highlights the conflicting nature of identity and nationalism within the nation's political and social norms.

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PUNISHMENTS & POWER: AN EXAMINATION OF THE EUROPEAN UNION'S USE OF LAWFARE SINCE 1993

Morgan Harris

Abstract

The European Union is typically regarded as a soft power institution that influences others through co-option and cultural integration. Research now indicates, however, that the EU is beginning to explore coercive hard power tools and tactics. In other words, instead of strictly *enticing* actors to behave through diplomatic soft power, scholars suggest that the EU is now *forcing* desired action. A key concept related to hard power is “lawfare” or the use of law and legal mechanisms in substitution of hard-military practices. Archival data collection of EU sanctions and flight bans from 1993—when the union was formally established—to 2017 reveals that the European Commission, European Parliament, and the Council of the European Union have been actively engaged in lawfare since the 1990s. The analysis finds that the European Union enacted 439 separate instances of lawfare against its enemies from 1993 to 2017 and that its lawfare usage is nuanced, either to cripple an enemy’s capability, condemn or punish a government or actor’s behavior, or to substitute specific military action. These findings complicate and challenge the idea that European Union is a strict soft power institution and that its possible hard power tactics are a recent development. In addition to providing critical insight into how the EU responds to domestic and international threats, this study, as both the first quantitative analysis of lawfare and of lawfare’s usage by a supra/multi-state institution, extends the literature to provide valuable insight into measuring and analyzing the global usage of law as a weapon of war.

Introduction

The European Union (EU) has been in a state of continual transformation since its beginnings in the early post-World War II years. In 1946, Winston Churchill envisioned a “United States of Europe” that would serve to unify European countries and prevent war amongst its members (Churchill 1949, 197). To receive aid from the Marshall Plan and to facilitate

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cooperation between states, the Europeans established the Organisation for European Economic Co-operation (OEEC) in 1947 (Zeff and Pirro, 2015, 3). Following the signing of the Treaty of Paris, the creation of the European Coal and Steel Community (ECSC) in 1952, and the European Community in 1958, European countries began to accept a model where sovereignty was willingly ceded in exchange for mutually-beneficial cooperation and protection (Zeff and Pirro, 2015, 3). Since its inception, the European Union has adapted to serve the growing number of countries it represents. With this growth, this governing body has also been changing how it leverages power against states and individual actors.

Although the EU has traditionally attempted to gain influence by coopting others through diplomacy and attractiveness of culture, research now suggests that the union is slowly, but surely, employing coercive, hard power tactics. The EU's current use of military Peace Support Operations are indicative of its ability to utilize hard power in combination with soft power. As the EU's legitimacy thus far has rested upon its use of soft power, using blatant military hard power may damage and undermine the institution's international reputation. For that reason, EU institutions cannot, even today, when terrorism and national security are at the forefront of member states' collective minds, simply use hard military force. Therefore, understanding how the EU may be using lawfare, especially in the years after 9/11 when the United States bolstered its global anti-terrorism efforts, is crucial to understand the security strategy of the European Union.

Overview of Soft Power, Hard Power, and Lawfare

The European Union has traditionally wielded power through the use of soft power (Kugiel 2017). Soft power is defined by Nye as "the ability to affect others to obtain the outcomes one wants through attraction rather than coercion or payment" (Nye 2008, 94). With its commitment to soft power, the European Union has been historically viewed as a normative power and a champion of human rights, regional cohesion, and democracy; the body even received a Nobel Peace Prize for its work in 2012 (Kugiel 2017). Lawfare, however, is more so related hard-power strategy. Charles J. Dunlap, Jr, a Colonel in the U.S Armed Services, first coined the term "lawfare" in 2001 to describe how laws may be used in substitution of military action. Just like "traditional" military actions, the legal mechanisms described by Dunlap are a form of hard power as they use coercion instead of co-option to achieve their objectives. This use of law, as a hard power coercive mechanism, contrasts laws' traditional purpose of regulating behavior and norm-setting. The European Union has been strictly seen as a soft power entity, but by using coercive legal mechanisms, they demonstrate their willingness to explore



hard power.

Conceptualization of Soft Power

The term “soft power” was first introduced in 1990 by Joseph Nye to describe the ability to affect others through persuasion or attraction rather than coercion or payment (Nye 2008). Long-term soft power tactics include fostering legitimate democratic institutions, strong humanitarian intervention capabilities, public diplomacy, and promoting domestic culture and minority rights (Cross 2011). Short-term soft power tactics include cooperative treaties, media rhetoric, and aid programs (Cross 2011). Cooper (2004) describes soft power as any tactic other than using military or economic power. Nye, on the other hand, argues that the type of power (hard or soft) must be thought of as separate from merely the type of tool they use (Nye 2007). In this conceptualization of soft and hard power, the primary difference between the two is whether countries coerce or co-opt others to act in the desired way. In international politics, Nye finds that soft power “arise[s] in large part from the values an organization or country expresses in its culture, in the examples it sets by its internal practices and policies, and in the way it handles its relations with others” (Nye 2008, 95). Power is typically thought of as the ability to get others to act in the way one would like (Nye 2008). The *power* of soft power, therefore, rests in an actor’s ability to shape others’ preferences and decisions by making the desired decision/action attractive and appealing. Desired outcomes are achieved by enticing—and not forcing—others to act in the preferred way.

Soft Power and the European Union

The European Union has traditionally been thought of as a soft power institution. Even before the term soft power was coined by Nye, the European Union was utilizing soft power tools and tactics. Sianos (2017) describes how the institution of the European Capital of Culture (ECOC) became a powerful source of soft power for the European Union following the post-1989 asymmetrical relationship between Western and Eastern Europe. He found that the ECOC title — a title given to one European city chosen by the EU each year — was perceived by both Eastern and Western European countries and cities as an indicator and pathway to modernity. Although the ECOC itself highlights the diversity of cultures present within the EU, the city chosen to be the ECOC organizes cultural events throughout the calendar year that

have a strong pan-European focus. Sianos notes that this is a prime example of soft power because the "EU had convinced the European countries to 'surrender' voluntarily the ownership of their culture to 'Europe'" through the ECOC (Sianos 2017, 23). The Weimar culture became "European" instead of just German, just as the cultures of Prague, Liverpool, Krakow, and other countries that received the ECOC title too became "European."

The European Union's enlargement process — the means through which new countries join the EU — is a key element of the union's soft power. In an April 2007 speech in Helsinki, Olli Rehn, the first Commissioner for Enlargement and European Neighborhood Policy in 2004, stated that "enlargement has proven to be the most important instrument of the EU's soft power. The quest for EU membership has driven democratic and economic reforms forward more effectively than any rod or sword could" (Rehn 2007, 2). In 1973, the first round of enlargement occurred with the admittance of the UK, Ireland, and Denmark. Another enlargement round occurred in 1981 with Greece entering into the EU. Spain, Portugal, and Greece all entered into negotiations together to enter the EU in 1981; however, only Greece gained immediate admittance (Zeff and Pirro, 2015, 4). The difficulties Spain and Portugal had in being accepted into the European Union demonstrates how the EU has wielded soft power to co-opt others to act. Both previously ruled under authoritarian governments, it took Spain and Portugal over ten years to prove their "democratic credentials" in order to be fully admitted into European Union (Zeff and Pirro, 2015, 5). The countries were not forced or coerced into proving their commitment to democracy. However, the attractiveness of the EU was enough to co-opt the countries to act in the way that would please the EU. The 2004 round of enlargement included the former Soviet states of the Czech Republic, Hungary, Slovakia, Latvia, Lithuania, and Poland along with Cyprus and Malta (Zeff and Pirro, 2015, 5). This EU expansion reunified Eastern and Western Europe and "swept away the last vestiges of the divisions of the cold war era" (Rehn 2007, 2). Rehn points to Turkey as an example highlighting the importance of expansion to countries' policy-making. Before accession talks effectively stopped between the EU and Turkey following the country's constitutional referendum in April 2017, Rehn stated that without accession negotiations, "the EU's chances of influencing Turkey's development would be extremely slim, or non-existent" for the negotiations are "the only process that gives the EU real influence over the implementation of Turkey's reforms" (Rehn 2007). The accession process not only influences how countries act, but also demonstrates a *conscious* use of soft power.

Although soft power does not traditionally encompass military action, the European Union utilizes non-coercive military action that can be considered

soft power (Cross 2011). Whereas all military action was previously categorized as hard power, scholars, including Nye, now understand that the principle difference between hard and soft power is not dependent on the use of military action, but whether the action's aim is to coerce or co-opt (Nye 2001). Cross (2011) illustrates this point in her description of the EU's Common Security and Defense Policy (CSDP). She explains how EU military actions are cases of humanitarian intervention or peacekeeping where the people tend to ask for this kind of aid. For example, individual countries help organize the Commission for EU election monitoring campaigns. Before a CSDP program is launched, the EU also gains consent first through a UN mandate to gain legitimacy (Cross 2011). Because the intent is not to coerce, but rather to co-opt, the military program is arguably a form of soft power. However, a transition to coercive military action would arguably limit the EU's normative strength that is rooted in their reputation as a soft power institution (Manners 2006, Cross 2011).

Conceptualization of Hard Power

Hard power is distinguished by its ability to coerce, and not co-opt, others to act. Similar to soft power, hard power also influences actors, but it is typically through punishments including payments or threats (Nye 2008). Hard power, advocated by neorealist thinkers, emphasizes military intervention, coercive diplomacy, and economic sanctions (Wilson 2008). Examples of long term hard power tactics besides sanctions and military posturing include refusal of cooperation, distrustful rhetoric, and direct or indirect coercion (Cross 2011). Commonly-used short term tactics include military invasion, cutting-off diplomatic relations, freezing bank accounts, leaking information, and issuing threats (Cross 2011). Persuading actors, a hallmark of the soft power theories advocated by liberal institutionalist scholars, is not a component of hard power; rather, actors are forced to behave in the way the inflicting actor intends under threat of punishment (Wilson 2008).

Hard Power and the European Union

The European Union is utilizing hard power tools and tactics to obtain its objectives. Matlary (2006) explains how the EU's militaristic Peace Support Operations (PSOs) set the framework for a EU strategic, coercive culture. She argues that the EU may continue to justify coercive practices by claiming they have a "human security" basis for acting. However, the risks involved in EU military activism are significant. Traditionally, military activism has not been generally

supported in democracies, especially when there is not an apparent security threat to one's own nationals (Matlary 2006, 106).

Kugiel (2017) argues that recent events in 2016 indicate that the strategic culture of the European Union is moving more towards hard-power. First, the EU's change in refugee policy from openness to defensiveness undermined the body's high moral standards, reducing their "attractiveness" on the global stage (Kugiel 2017, 60). In addition to limiting their ability to attract with a soft power approach, the EU discouraging people from migrating to Europe is a more hard-power tactic itself. Second, the rise of populism in the EU highlights the democratic vulnerabilities within the EU. The upholding of liberal democratic political systems has always been a hallmark of EU soft power. With the democratic institutions in decline, Kugiel argues there is a detectable transformation from soft to hard power. Finally, the integrity and power of the European Union itself has weakened after the British referendum to leave the institution. Kugiel describes the Brexit referendum as the "last blow to European soft power" (Kugiel 2017, 67). When the separation is finalized, the EU will lose an influential negotiating partner, its largest donor to official development assistance (ODA), and will cease being the world's second largest economy (Kugiel 2017, 67). As a result, the EU's ability to influence others only through soft power will be significantly diminished.

Smart Power and Lawfare

An emerging field of scholarship focuses on the intersection between hard and soft power. Nye (2011) defines smart power as the ability to effectively combine hard and soft power. Moving from Nye's (2011) definition, Cross (2011), in an attempt to discover how to make the term more analytically useful, found that the "effectiveness" component of the definition ought to be removed. If one, like Nye (2011), measures smart power as the ability to combine hard and soft power effectively, then the failures would not be taken into account. To gain a more comprehensive understanding of how states have used smart power, she argues that the successes and failures must both be studied. Therefore, Cross (2011) redefines smart power as the "strategic and simultaneous use of coercion and co-option" (Cross 2011, 698). Lackey conceptualized smart power as "soft power, with a chance of victory" (Lackey 2015, 125). In Lackey's (2015) view, smart power typically uses non-coercive means to achieve hard-power objectives.

Lawfare is a concept related to, or arguably a subset of, smart power. In November 2001, Charles Dunlap, a Colonel in the U.S Armed Forces, introduced the term "lawfare" to the legal and international relations literature (Kittrie 2016). He defined lawfare as "the strategy of using — or misuing — law



as a substitute for traditional military means to achieve an operational objective” (Dunlap 2001, 7). The term incorporates the coercive nature of hard power, yet retains an element of soft power, as it bases itself upon the soft power tradition of respect for international law.

Orde F. Kittrie advances Dunlap’s definition in his 2016 book *Lawfare: Law as a Weapon of War*. The book, notably the only one published in English on the subject, provides an overview of case studies on the subject of law as a weapon of war, and explains how “lawfare” can include legal tactics varying from sanctions to non-recognized states’ attempts at gaining legalized, international recognition. Kittrie (2016) notes that to be considered lawfare, each action must fulfill a two-pronged test. First, the actor uses lawfare “to create same or similar effects as those traditionally sought from conventional kinetic military action — including impacting the key armed force decision-making and capabilities of the target” (Kittrie 2016, 5). Second, a motivation of the actor must be “to weaken or destroy an adversary against which the lawfare is being deployed” (Kittrie 2016, 5). Tactics, including sanctions, are considered lawfare only if they meet the two-pronged test.

History of Law as a Weapon of War

The potential for law as a weapon of war is not a new phenomenon. Rather, it can be traced back to the Dutch humanist and political philosopher Hugo Grotius (1583-1645), now best known as the father of modern international law. Grotius prepared his critical work *Mare Liberum* at the behest of the Dutch East India Company (VOC) to during the negotiations of a truce between the Dutch and Spanish to end the decades of conflict that started with the sixteenth century Dutch revolt (Hakluyt 2004, 12). One of the most critical issues to the VOC was Dutch access to the growing markets and trade in the East Indies where the Dutch were engaged in “cut-throat competition,” including military maneuvers against the Spanish, and English (Hakluyt 2004, 12).

The VOC hired Grotius to devise a legal argument so that a “war might rightly be waged against, and prize taken from the Portuguese” (Anand 1981, p. 440 and 442). Although the Spanish and Portuguese claimed that they had exclusive rights to the sea routes through the Treaty of Tordesillas of 1594, Grotius argued in *Mare Liberum* that the seas could not belong to anyone. Thus, a nation could not claim sovereignty over them (Van Demaan Magoffin, 1916):

Freedom of trade is based on a primitive right of nations which has a natural and permanent cause; and so that right cannot be destroyed, or at all events it may not be destroyed except by the consent of all nations. So far is that from being the case, that any one nation may justly oppose in any way, any other two nations that desire to enter into a mutual and exclusive contractual relation.

(Van Demaan Magoffin, 1916, 1)

The aforementioned action demonstrates that even centuries before Dunlap coined the term lawfare, Grotius and others were using law as a weapon to achieve that which the military itself could not accomplish.

Although the term was popularized by Dunlap in 2001, one of the first passing mentions of the term "lawfare" can be found in the 1999 book *Unrestricted Warfare* written by Qiao Liang and Wang Xiangsui, two of China's People's Liberation Army officers. Liang and Xiangsui conceptualized lawfare as "seizing the earliest opportunity to set up regulations" and being a "trendsetter in international standards" (Werner 2010, p. 64). Lawfare is only briefly analyzed in the book along with other forms of warfare including psychological warfare, smuggling warfare, media warfare, technological warfare, and economic aid warfare (Werner 2010 p. 64). These forms exemplify Liang and Xiangsui's central argument that warfare is no longer waged just on the battlefield, but is penetrating all sectors of society (Werner 2010, p. 65). The idea of lawfare, however, did not gain traction until 2001 when Colonel Dunlap published his writings on the subject following the 1999 Kosovo Campaign.

The Lack of Research on the European Union's Use of Lawfare

Although Kittrie (2016) notes that international organizations, and not just states, have utilized lawfare, he does not include an analysis on the European Union — a body that has previously relied upon the rule of law, but is now facing external security threats. Dunlap only focuses on how the United States has used lawfare in the past. The lack of lawfare literature on the European Union is especially surprising as numerous studies indicate that the European Union may be subtly shifting from a recognized soft power body to a hard power institution.

The EU's largely-unchallenged reputation as a soft power entity may explain why its use of lawfare has been thus far unrecognized. The academic research on soft and hard power suggests that the EU has been inching towards more of a hard-power approach with the intention to coerce and not co-opt international actors. As lawfare may be considered a soft power tactic with hard power implications, the examination of the European Union's use of this tool is especially important to fully understand how the body is attempting to wield power against other states and actors. I hypothesize that in the years since 2001 when the term "lawfare" was first popularized, more instances of lawfare will have been taken by the three primary EU institutions responsible for policy-making — the European Parliament, Council of the European Union, and European Commission.

How to Explore the European Union's use of Lawfare

As discussed above, recent research indicates that the European Union, once championed as a model soft power institution, has been exploring and using hard power tactics. This insight, combined with a lack of lawfare research on the European Union specifically, and on international institutions generally, makes this research on the EU's use of lawfare all the more necessary. If the European Union, which prides itself on the rule of law, is willing to engage with coercive, hard-power tactics, then lawfare—using law and legal mechanisms to achieve hard power objectives—is a form of coercion that the EU likely would have utilized against security threats. To determine if and how the European Union has used lawfare, I performed a mixed-methods institutional study of the three policy-making bodies of the EU—the European Commission, the Council of the European Union, and the European Parliament. I predicted that the more years since 9/11, the more instances of lawfare I would find. Similar to Kavaliunaite (2011) who used the database [Eur-lex.europa.eu](http://eur-lex.europa.eu) to find examples of EU soft power, I use the database to locate instances of lawfare published by the three bodies in the Official Journal of the European Union.

Before using the database to locate instances of lawfare, I first used the Council of the European Union's Foreign Affairs Council's meeting outcome documents to determine what the EU considered to be their key national security issues. I intended to use these concepts as the search terms for the database. The Foreign Affairs Council, comprised of the Foreign Ministers of the Member States, meets once a month to discuss timely issues related to national security, defense, and development. After finding all of their published their meeting documents (only available from 2015-2017) on the European Union External Action Service Register database, I examined each of the available documents—that numbered thirty-nine in total—for the “key issues debated” listed in the table of contents on the first few pages (see Appendix A for list of issues). These “key issues” primarily comprised of countries' names, issues relating to infrastructure and development, and security/military policy.

I first used the names of various countries as the search terms for the [Eur-lex.europa](http://Eur-lex.europa.eu) database. I thought that using the individual names would provide me with the most comprehensive results of legislative action, some of which might be considered lawfare. This tactic had to be ruled out, however, because the legislative results contained thousands of irrelevant documents on countries that did not relate to national security or military affairs. For similar reasons, the terms relating to international development were inapplicable. The term “sanctions” ultimately provided me with a reasonable number of results that appeared, from an initial analysis, to have potential for lawfare. In this initial review of the search

results from "sanctions," I came across legislative acts pertaining to flight bans. As this measure appeared to have the characteristics of lawfare, I included "flight bans" as a search term along with "sanctions". Combined, these two terms resulted in a reasonable and most applicable number of legislative acts for analysis.

Within the Eur-lex.europa.eu database, and using the search terms "sanctions" and "flight ban," I specifically limited my searches to those legislative acts that were published in the Official Journal of the European Union from 1993—when the European Union was created—to 2017. The database publishes a wide array of documents from the EU, but the OJ contains all approved legislative acts. Only looking at acts that have been approved by the European Union ensures that I will not include an instance of lawfare that was perhaps considered, but not enacted. The OJ is also published every working day, so there was still a substantial number of results even with just limiting it to those published within the Journal.

After using the advanced search option with the two terms in the database and selecting results only for the OJ, I separated the preliminary results by year. As the term "lawfare" was only found twice during an initial search, my standard for considering an act lawfare is not the incorporation of the term within the legislative act, but rather if the action meets the two-pronged test established by Kittrie (2016). First, the actor uses law and legal mechanisms to "create the same of similar effects as those traditionally sought from kinetic military action—including impacting the key armed force decision-making and capabilities of the target" (Kittrie 2016, p. 8). Second, one of the motivations for the act is to "weaken or destroy an adversary against which the lawfare is being deployed" (Kittrie 2016, p. 8). Specifying that lawfare is created to have the same effect of traditional military action and to destroy or weaken an adversary safeguards against the inclusion of "routine" legal acts being considered lawfare simply because they are imposing a restriction or regulation against another entity. This is the separation between the traditional view of law versus the use of law as a weapon of war and conflict.

The majority of the database search results were legislative acts pertaining to "restrictive measures," sanctions, and flight bans. After separating the results by year, I analyzed each of the documents to see if they would meet the two-pronged test. Specifically, I looked for target and justification for the measure. In some cases, especially in years of EU enlargement, I found that sanctions were imposed against states wanting to join the European Union during the beginning of the accession process. These cases were not counted as instances of lawfare because the EU was not trying to impose a legal measure that would have the similar effects of military action nor were they attempting to "weaken an adversary." In other cases, when analyzing the legislative acts, the EU body creating the measure specifically condemned the actions of an entity and described them as a threat to



international security and peace. I considered the action lawfare only after further analyzing the piece of legislation and determining that the goal is to cripple the enemy's capabilities in accordance with the two-pronged test.

I counted each separate legal act published in the OJ that met the criteria as one instance of lawfare. When quantifying the results, the name of the target was based off of the title of the legislative act. For instance, "Council Regulation (EC) No 1064/1999 of 21 May 1999 imposing a ban on flights between the European Community and the Federal Republic of Yugoslavia" was counted as one act of lawfare against Yugoslavia. I could have individually counted each of the entities or individuals listed within each piece of legislation (for instance, specifying which aircrafts were banned from Yugoslavia), but chose not to. The majority of each legal act only published one common target (i.e sanctions against Afghanistan or all flights from Yugoslavia). As the EU did not list specific entities in the "all entities from xyz country" pieces of legislation, it was more precise to list the act as an act against a common target as the names were not always present. The procedure was to count whatever main target the EU listed in the title of the legal act. Even in the instances where specific individuals were listed within the act, they were still grouped under targets against a specific country or government in the title and not main targets themselves.

The only exception were the sanctions against Osama bin Laden. He was the only individual the EU specifically listed as a primary target in the title of the legal acts. Osama bin Laden and Al-Qaeda (referred to as Usama bin Laden and Al-Qaida in the OJ) and the Taliban were routinely grouped together in the sanctions. To decrease the risk of double counting targets, I grouped the three together as one combined target (Usama bin Laden/Al Qaida/Taliban) during the quantitative analysis.

Oftentimes, the EU bodies updated their sanctions against a specific target—especially Usama bin Laden/Al Qaida/Taliban—multiple times. Each of the updates that are published independently in the OJ are counted as separate instances of lawfare because it provides insight into the EU's continual use of law as a weapon of war. When separating the instances of lawfare into categories based off of type, three primary categories—flight bans, sanctions, and restrictive measures — emerged. The title of many acts specified that they were enacting "restrictive measures" against a country. To be listed under "restrictive measures" for my categorization purposes, the measures had to include both flight bans and sanctions. If not, the measure would be listed under either "sanctions" or "flight bans." Once again, I did not want to double count the instances of lawfare, so each act was only counted towards one category.

Findings: European Union's Use Lawfare

Using the above-mentioned method, the European Union enacted 439 separate instances of lawfare (comprising of flight bans, sanctions, and restrictive measures) against its enemies from 1993 to 2017. Figure 1 illustrates a steady upward trend in lawfare usage by the EU in the years since 1993. Notably, the number of lawfare instances more than double from 2001 to 2002. By early 2002, the European Union would have begun to develop more comprehensive counterterrorism tactics following the 9/11 attacks in the United States. This increase shows the EU's almost immediate willingness to use lawfare when faced with international threats.

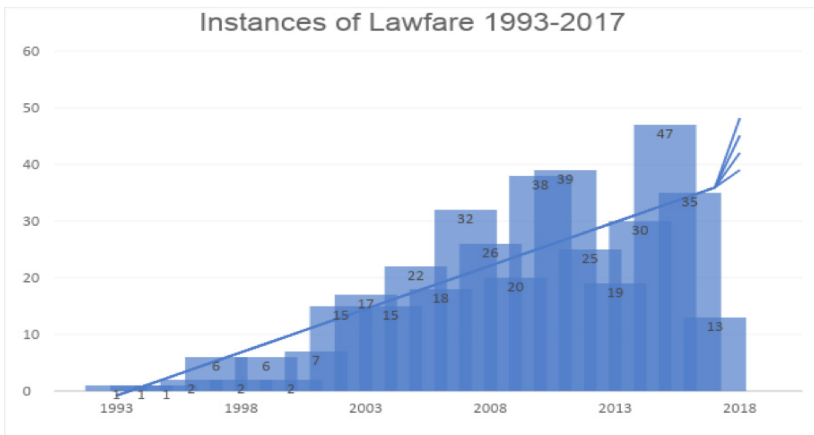


Figure 1: Instances of lawfare from 1993 to 2017

Figure 2 and Figure 3 compare the number of worldwide terrorist incidents from 1992-2016 to the number of lawfare instances from 1993-2016. The terrorist incident data is taken from the Global Terrorism Database. In this database, terrorism is defined as: “the threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion, or intimidation” (Global Terrorism Database 2018). Targets of EU lawfare policies are

not limited to terrorist groups (see Appendix B, Appendix C, and Appendix D for list of targets by type of measure). However, the graph comparison does indicate that the European Union

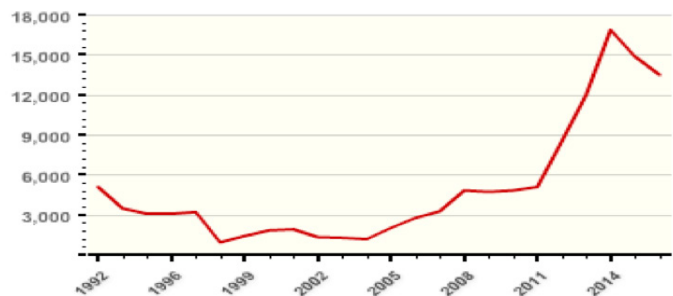


Figure 2: Worldwide terrorist incidents from 1992-2016

(Source: Global Terrorism Database)

steadily responds to worldwide threat trends.

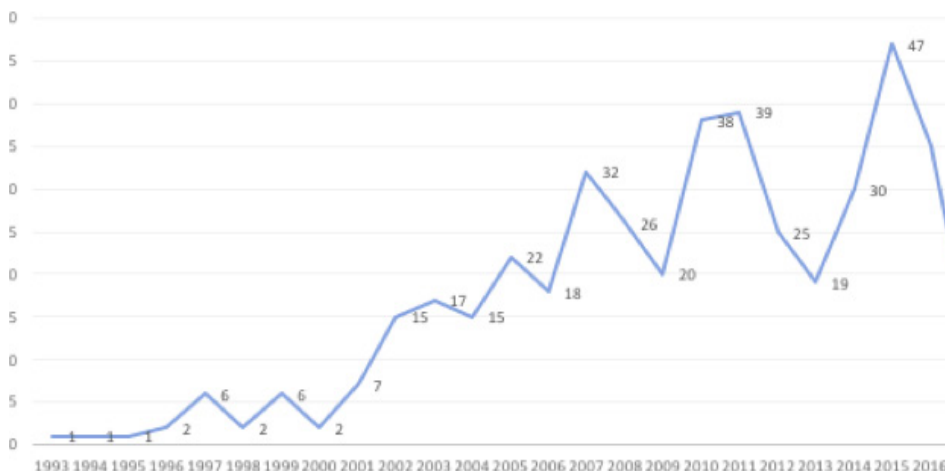


Figure 3: Lawfare Instances from 1993-2016

As further illustrated in Figures 4 and 5, there was a noticeable drop in lawfare instances and restrictive measures from 2011 to 2013 and then a subsequent rise from 2013 to 2015. An explanation for the sudden decrease may be Osama bin Laden's death on May 2, 2011. Table 1 shows how in 2010, Osama Bin Laden was specifically named in twenty-seven restrictive measures. In 2011, the number decreased to eighteen which would account for the months in 2011 after Osama bin Laden died. Increased concerns regarding the security environment with the Assad regime Syria also appears to account for the increase in lawfare instances from 2013 to 2015. Table 1 illustrates how there was only one restrictive measure against Syria in 2011 compared to thirteen measures in 2015. The increase in lawfare actions against Syria from 2011 to 2014 coincides with the death toll in the

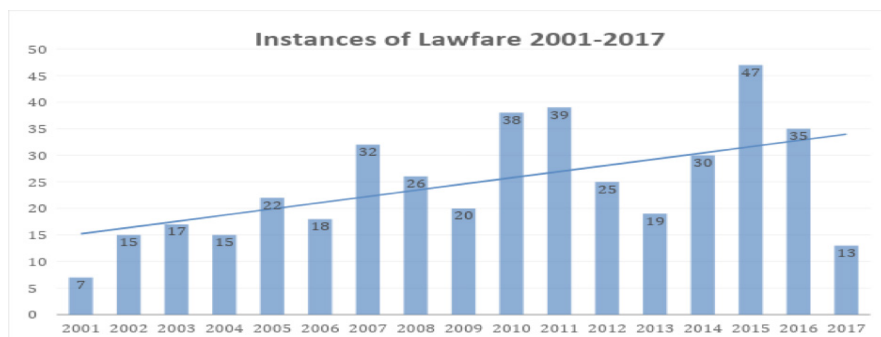


Figure 4: Instances of lawfare from 2001 to 2017

country from those years. The Syrian Observatory, a UK-based information office, found that there was a total of 76, 021 civilian deaths in 2014 compared to 73,447 in 2013, 49, 294 deaths in 2012, and 7,841 in 2011 (Gladstone and Ghannam 2015).

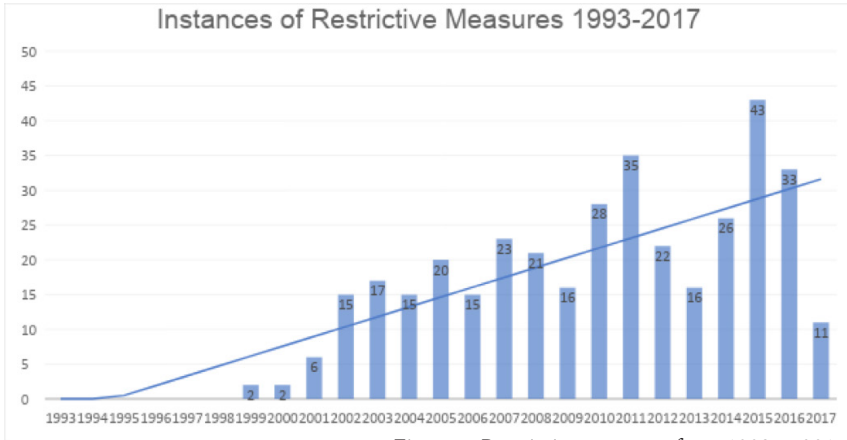


Figure 5. Restrictive measures from 1993 to 2017

| Year | R.Measures | Targets | Vertical (Value) Axis Major Gridlines |
|------|------------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 2010 | 28 | Usama Bin Laden/Al Qaeda/Taliban (27), Congo (1) | |
| 2011 | 35 | Usama Bin Laden/Al Qaeda/Taliban (18), Al Qaeda (2), Libya (11), Afghanistan (3), Syria (1) | |
| 2012 | 22 | Al Qaeda (2), Afghanistan (4), Syria (6), Iran (5) | |
| 2013 | 16 | Al Qaeda (3), Afghanistan (4), Syria (6), Iran (3) | |
| 2014 | 26 | Al Qaeda (3), Afghanistan (2), Syria (10), Iran (3), Ukraine independence (5), Sudan/South Sudan (1), Libya (2) | |
| 2015 | 43 | Al Qaeda (12), Libya (7), Afghanistan (2), Syria (13), Iran (5), Ukraine (4) | |

Table 1: Restrictive Measure Targets 2010-2015

From 1993 to 2017, the European Union passed instances of lawfare comprising of flights bans, sanctions, and restrictive measures. The European Union’s term “restrictive measures” encompasses both flight and sanction bans on a particular target. Restrictive measures may have also included additional measures such as petroleum bans. Whereas restrictive measures were specific against a singular target, flight bans and sanctions were usually updates to a preapproved list of targets. However, in certain instances, there were specific targets listed for the sanctions and flight bans (see Appendix C and Appendix D for targets). Although there are additional targets within the

flight and sanctions lists, the graph shows the comparison of how many times one of the types of actions was passed.

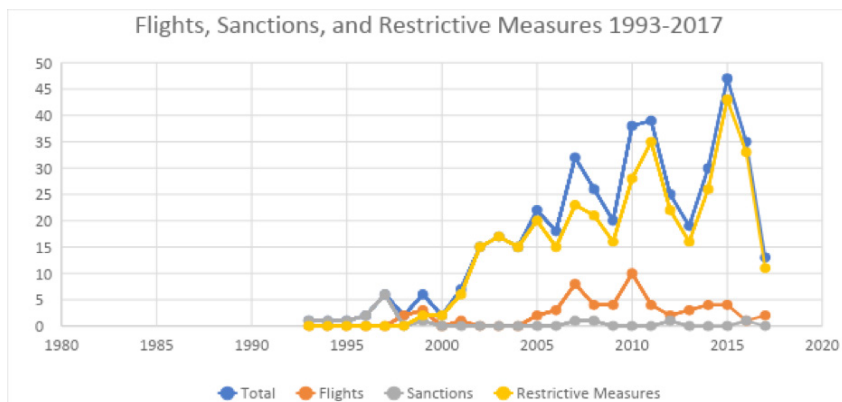


Figure 5: Flight bans, sanctions, and restrictive measures from 1993 to 2017

Each of the three policy-making institutions of the European Union enacted instances of lawfare. As there were overall more instances of restrictive measures compared to flight bans and sanctions (see Appendix E for lawfare instances by type 1993-2017), there was also more variation in the institutions that enacted the lawfare legislative acts (see Appendix F, Appendix G, and Appendix H for institutions that enacted lawfare by type of restriction).

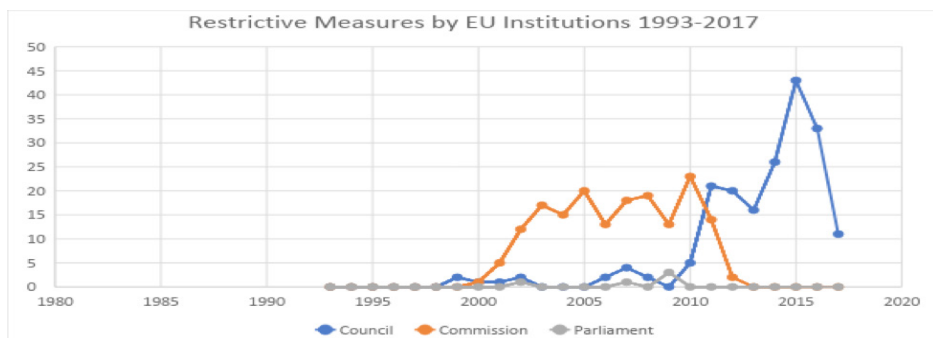


Figure 6. Restrictive measures enacted by the EU Council, Commission, and Parliament 1993-2017

Ways Lawfare Has Been Used by the EU

An analysis of the EU legal documents reveals that the body has used restrictive measures, sanctions, and flight bans as lawfare in three ways: in substitution of specific military action, to condemn and punish a government or actor's behavior, and to cripple an enemy's capabilities.

Specific military action

The European Council threatening the Taliban in 1999 with restrictive measures if they did not "turn over" Osama bin Laden is a prime case of the European Union attempting to achieve a specific military objective through the use of a coercive legal mechanism. The Council Common Position of October 15, 1999 (see Appendix I) outlined how the EU would impose restrictive measures against the Taliban unless they surrendered bin Laden to proper authorities in a country where he would be brought to justice within one month. The restrictions would comprise of a ban on flights operated or owned by the Taliban and a freezing of funds. The EU action came after bin Laden and a number of his associates were indicted by the United States for conspiring to kill U.S nationals and for the August 7th 1998 bombings of the U.S embassies in Kenya and Tanzania. The EU published the action the same day the United Nations Security Council unanimously voted to freeze the Taliban funds and restrict their aircraft movements. Although the threat of restrictive measures was not successful in achieving the hard-power objective of retrieving Osama bin Laden, this is a model example of the European Union using lawfare in substitution of specific military action.

Condemn and punish a government or actor's behavior

The European Union also used lawfare to condemn and punish the behavior of government and actors. The only actor specifically mentioned in the title of a legal act considered lawfare is Osama bin Laden. The majority of condemnation is aimed at specific governments and states. For instance, from 1998 to 2000, the Council of the European Union imposed and repeatedly added sanctions and other restrictive measures against the Federal Republic of Yugoslavia. In a May 10th 1999 Council resolution, the EU stated that the "extreme and criminally irresponsible policies and repeated violations of United Nations Security Council Resolutions by the Federal Republic of Yugoslavia (FRY) has made the use of the most severe measures, including military action, both necessary and warranted" (See Appendix J for full text). Similar language is used when describing the justification of punishments of states such as North Korea, Syria, and Afghanistan.

Cripple an enemy's capabilities

To have been considered lawfare in this study, one of the aims of the legal action must have been to cripple and enemy's capabilities. In many instances, the EU clearly describes their intentions of banning aircrafts out of security concerns. However, of the more surprising aspects of EU lawfare

is that the bodies attempt to cripple an enemy's capabilities, yet they justify the actions in language that is not security-oriented.

From 1998-2017 the Commission routinely publishes updated lists of air carriers that are subject to an operating ban, either a partial or full one, within the EU Community. The carriers are referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and are only, according to the regulation, supposed to be banned for aircraft safety reasons. Before the creation of the flight ban list in 2005, however, there were thirteen instances of the European Commission banning air craft carriers from certain countries that they deemed a threat to national security and not just a threat to passenger, airline, safety.

The banning of Iran Air in 2010 is an indicator that these flight bans are instances of lawfare and not merely airline safety precautions. In July 2010, as soon as the United States placed airline and financial sanctions against Iran in an effort to curb and coerce the non-compliant state, the European Union followed suit, suddenly finding that that Iran Air had to be banned out an abundance of safety. In June 2016, after the Iran Deal was coming into effect and the United States removed sanctions, the European Union also took Iran Air off of their banned list, demonstrating that this legal mechanism was previously used in a coercive way to not only attempt to control Iran's flights, but to impact their key military operations which Iran Air is an essential part of.

Criticisms, Conclusions and Implications

There is a pressing need for further research on lawfare, and in particular the European Union's use of lawfare. However, the concept has not gone without criticism. Before championing it as a "value-neutral" term, Dunlap, speaking at the Kennedy School of Government in 2001, first presented lawfare as a negative development of 21st century warfare. Warning of the largely injurious effects it may have, especially for U.S national security, Dunlap stated there is "disturbing evidence that the rule of law is being hijacked into just another way of fighting, to the detriment of humanitarian values as well as the law itself" (Dunlap 2001, 38). In tracing the history of lawfare, Wouter Werner, Professor at Vrije Universiteit in Amsterdam, similarly warns that the tactic is "undermining the integrity of law and closing off debates about accountability for the use of lethal force" (Werner 2010, p. 71). Most concerning for Werner, however, is reflective lawfare used as a tool to delegitimize opponents. He states that "this way of using lawfare gives a one-sided perspective on the role of law in contemporary conflicts" (Werner 2010, p. 71). For instance, Palestine's instigation of the Boycott-Divestment-Sanctions

movement in an attempt to delegitimize Israel would be considered an example of reflective lawfare.

Going one step further, Professor Leila Nadya Sadat of Washington University School of Law, argues that lawfare is "an unhelpful term that has no real fixed meaning" (Sadat and Geng 2010, p. 153). Although the concept may be "catchy in media communications," she argues that the lawfare discussion is a "fruitless—and even dangerous—rhetorical debate" (Sadat and Geng 2010, p. 153). Sadat posits that terrorists, and not just states, might use the rule of law to gain advantage over their adversaries which would undermine general respect for the rule of law.

The concern that lawfare may undermine the rule of law is valid. It is especially well-founded when it is waged in the courtroom. However, in the case of the European Union, it is the three policy-making bodies—and not the courts—that have been steadily using the tactic since 9/11. With at least 439 instances of lawfare since the EU was formally established in 1993, it does not appear as though the EU intends to stop their lawfare strategy in the near future.

This study provides valuable insight into four key areas. First, it adds to the overall research on lawfare. Second, as this is the first quantitative study of lawfare, it provides valuable understanding into how future quantitative research on the subject may be conducted. Third, it shines light on how international organizations' use of lawfare can be studied. Finally, the research adds to one's understanding of the European Union and how it has been using lawfare to explore hard power tools and tactics.

Despite the sharp criticisms against lawfare, as long as powerful bodies like the European Union continue to use it, the tactic and concept is worth studying and examining. Future iterations of the research may focus on the conscious usage of lawfare by advocates and policy-makers, how lawfare usage coincides with election cycles, and the effectiveness of the tactic. As US Army Officer Phillip Carter explains "we have every reason to embrace lawfare, for it is vastly preferable to the bloody, expensive, and destructive forms of warfare that ravaged the world in the 20th century" (Hughes 2016, 35). We may not be at the point where battles can be won and lost solely through law; whether that is a goal the international community should strive towards is not even clear. What is clear, however, is that the tactic is increasingly being waged by one of the most powerful bodies in the world. To not give it its due attention would not only be foolish, but unquestionably irresponsible.

Appendix A

List of “Key Issues Debates” From European Union’s Foreign Affairs Council’s Meeting Outcome Documents 2015-2017

| Meeting # | Date | Doc # | Items Discussed |
|-----------|---------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3482 | 7/18/16 | ST 11355 2016 INIT | fight against terrorism, EU global strategy, China, Latin America, Migration, Somalia, Afghanistan, Pakistan, South Sudan, Azerbaijan, restrictive measures Democratic Republic of Congo, EUCAP Sahel Niger, EU Civilian CSDP mission, Syrian refugees, |
| 3477 | 6/20/16 | ST 10495 2016 INIT | Arctic, Sahel, Yugoslav Republic of Macedonia, Middle East peace process, Visa liberalisation in the context of EU-Georgia relations, EAC countries, Myanmar/ Burma, business and human rights, child labour, Lifting of sanctions against Liberia |
| 3466 | 5/23/16 | ST 9300 2016 INIT | Syria and Iraq as well as the Da’esh threat, security policy, migration, EUNAVFOR MED operation Sophia, Georgia, Republic of Moldova, Democratic Republic of Congo, South Sudan, Restrictive measures in view of the situation in Libya, Mexico, Republic of Korea |
| 3463 | 5/13/16 | ST 8737 2016 INIT | trade doc |
| 3462 | 5/12/16 | ST 8736 2016 INIT | Afghanistan, Migration and development, Tajikistan, Turkmenistan, Operation Althea, EU NAVFOR Atalanta, EUAM Ukraine, Border controls – Schengen |
| 3460 | 4/18/16 | ST 8022 2016 INIT | migration, eastern partnership, Libya, European Defence Agency Steering Board, Hybrid threats, Capacity building, Afghanistan, Peace in Colombia, Sergio Jaramillo, Mission Support Platform, Middle East Peace Process, Central Asia, Temporary reception of certain Palestinians, , Iran sanctions, EUTM Central African Republic, , EU crisis management exercise MULTILAYER 2016, |
| 3457 | 3/14/16 | ST 7042 2016 INIT | Iran, Russia, Middle East peace process, Central African Republic, Al-Qaida: EU amends restrictive measures in line with UNSC resolution, Burundi, Central African Republic - military training mission, Control of exports of military technology and equipment |
| 3447 | 2/15/16 | ST 6122 2016 INIT | Climate diplomacy, Moldova, Syria, Belarus, EU-Kyrgyz Republic Cooperation Council, Burundi, Somalia, Zimbabwe - sanctions, EU border assistance mission in Libya - mandate extension, exercise-related activities under the CFSP, |

| | | | |
|------|----------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3443 | 1/18/16 | ST 5304 2016 INIT | Syria developments, Iraq, Ukraine, Bosnia and Herzegovina, Middle East Peace Process, Libya sanctions, EUCAP Sahel Mali, Biological and Toxin Weapons Convention, EUNAVFOR MED Operation Sophia, |
| 3440 | 12/15/15 | ST 15315 2015 INIT | EU-Canada negotiations, Western Balkans - Bosnia and Herzegovina - Trade measures, |
| 3438 | 12/14/15 | ST 15278 2015 INIT | Eastern partners, Counter-terrorism, Libya, Iraq, Turkey, European Neighbourhood Policy, Morocco - Court appeal, Afghanistan - EU police mission, Court of Auditors report on EU support for the fight against torture, |
| 3430 | 11/27/15 | ST 14688 2015 INIT | trade |
| 3426 | 11/16/15 | ST 14120 2015 INIT | Middle east peace process, migration, syria, mutual defense clause, European action defense plan, Capacity building for security and development, CSDP operations, European Defence Agency steering board, Burundi, Sri Lanka, EU support to transitional justice, Yemen, EU police mission in Afghanistan, European Union Special Representative in Kosovo, Tunisia, Afghanistan, Somalia, biological weapons, south-east Europe - Albania, Central African Republic, negotiations with the US, EU-Bosnia and Herzegovina, |
| 3420 | 10/26/15 | ST 13400 2015 INIT | humanitarian affairs, Migration, refugees and development, Gender and development, EU-ACP relations, Guinea, Transnistrian region of Moldova, Afghanistan, Kazakhstan, Tunisia, Zimbabwe, Yemen, EU Police Mission in Afghanistan, EUNAVFOR Med , Georgia |
| 3416 | 10/12/15 | ST 13313 2015 INIT | Libya, Syria, Migration, EU-ACP, Bosnia and Herzegovina, South Sudan, Armenia, Non-proliferation of weapons of mass destruction, Syria, combating terrorism, European Defence Agency, Operation ALTHEA |
| 3404 | 7/20/15 | ST 11095 2015 INIT | development, Libya, EU and Moldova, |
| 3400 | 6/22/15 | ST 10185 2015 INIT | military CSDP operations Middle East peace process Burundi, Uzbekistan, Gulf Cooperation Council, |
| 3391 | 5/26/15 | ST 9240 2015 INIT | trade, Central African Republic restrictive measures, South Sudan restrictive measures, EU-Switzerland free movement of persons |
| 3389 | 5/18/15 | ST 8966 2015 INIT | Libya, Latin America and the Caribbean, Strategic review, Iran, Yemen, Sahel Regional Action Plan, European Neighbourhood Policy, Chile, Fight against the proliferation of nuclear weapons, Zimbabwe restrictive measures, Restrictive measures - Côte d'Ivoire, Restrictive measures - Democratic Republic of the Congo, EU crisis management military exercise, security sector reform |
| 3384 | 5/7/15 | ST 8639 2015 INIT | migration |



| | | | |
|------|---------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3382 | 4/20/15 | ST 8084 2015 INIT | Burundi, Ebola, Gulf of Guinea, Mali, Libya, Migration, eastern partnership, Syria and Iraq, ISIL/Da'esh threat, Bosnia and Herzegovina, Ukraine, Republic of Moldova, Tunisia, Horn of Africa, UN and EU in crisis management, training mission in Somalia, military advisory mission in the Central African Republic, |
| 3385 | 4/20/15 | ST 8146 2015 INIT | Libya, Iraq and Syria, Counter-terrorism, Yemen, Africa, Boko Haram, Nigeria elections, Mali, Central African Republic, Ukraine - restrictive measures, Restrictive measures - Côte d'Ivoire , Relations with Tunisia, UN human rights fora, |
| 3379 | 3/16/15 | ST 7265 2015 INIT | Ukraine, restrictive measures Ukraine, |
| 3367 | 2/25/15 | ST 6044 2015 INIT | trade, Operation Atalanta - Anti-piracy operation off the Somali coast |
| 3369 | 2/5/15 | ST 5755 2015 INIT | Russia, fight against terrorism, climate change diplomacy, Democratic Republic of the Congo / FDLR, Tunisia, EU Special Representative in Bosnia and Herzegovina, EU-Armenia relations, EU action against the proliferation of weapons of mass destruction, EUCAP SAHEL Mali, EU terrorist list, EU military advisory mission in the Central African Republic , |
| 3348 | 1/28/15 | ST 15792 2014 INIT | |
| 3364 | 1/27/15 | ST 5411 2015 INIT | |

Appendix B

Lawfare Targets-Restrictive Measures

| Year | Restrictions | Target |
|------|--------------|-----------------------------------------------------------------------------------------------------------------|
| 1998 | 0 | 0 |
| 1999 | 2 | Taliban (1), Yugoslavia (1) |
| 2000 | 2 | Taliban(2) |
| 2001 | 6 | Taliban(6) |
| 2002 | 15 | Usama Bin Laden/Al Qaeda/Taliban (12), Afghanistan (3), T |
| 2003 | 17 | Usama bin Laden/Al Qaeda/Taliban (17) |
| 2004 | 15 | Usama bin Laden/Al Qaeda/Taliban (15) |
| 2005 | 20 | Usama bin Laden/Al Qaeda/Taliban (20) |
| 2006 | 15 | Usama bin Laden/Al Qaeda/Taliban (15) |
| 2007 | 23 | Usama bin Laden/Al Qaeda/Taliban (18), Afghanistan (2), Zimbabwe 1 |
| 2008 | 21 | Usama Bin Laden/Al Qaeda/Taliban (13), Afghanistan (1), North Korea (2), Iran (3), Congo (1) |
| 2009 | 16 | Usama Bin Laden/Al Qaeda/Taliban (14), Zimbabe (1), Somalia (1) |
| 2010 | 28 | Usama Bin Laden/Al Qaeda/Taliban (27), Congo (1) |
| 2011 | 35 | Usama Bin Laden/Al Qaeda/Taliban (18), Al Qaeda (2), Libya (11), Afghanistan (3), Syria (1) |
| 2012 | 22 | Al Qaeda (2), Afghanistan (4), Syria (6), Iran (5) |
| 2013 | 16 | Al Qaeda (3), Afghanistan (4), Syria (6), Iran (3) |
| 2014 | 26 | Al Qaeda (3), Afghanistan (2), Syria (10), Iran (3), Ukraine independence (5), Sudan/South Sudan (1), Libya (2) |
| 2015 | 43 | Al Qaeda (12), Libya (7), Afghanistan (2), Syria (13), Iran (5), Ukraine 4) |
| 2016 | 33 | ISIL/Al Qaeda (3), Libya (13), Afghanistan (1), Syria (9), Iran (3), Ukraine (2), North Korea (2) |
| 2017 | 11 | Afghanistan (1), Syria (10) |

Note: There were not any restrictive measures pre-1998



Appendix C

Lawfare Targets-Sanctions

| Year | Sanctions | Target |
|------|-----------|-------------------------------------------|
| 1993 | 1 | Haiti (1) |
| 1994 | 1 | Serbia and Montenegro |
| 1995 | 1 | Nigeria (1) |
| 1996 | 2 | Burundi (1), Burma/Myanmar (1) |
| 1997 | 6 | Sudan(3), Nigeria (2) Burma/Myanmar(1) |
| 1998 | 0 | 0 |
| 1999 | 1 | Yugoslavia(1) |
| 2000 | 0 | 0 |
| 2001 | 0 | 0 |
| 2002 | 0 | 0 |
| 2003 | 0 | 0 |
| 2004 | 0 | 0 |
| 2005 | 0 | 0 |
| 2006 | 0 | 0 |
| 2007 | 1 | Darfur (1) |
| 2008 | 1 | Evaluation of sanction list |
| 2009 | 0 | 0 |
| 2010 | 0 | 0 |
| 2011 | 0 | 0 |
| 2012 | 1 | creating standards for listing |
| 2013 | 0 | 0 |
| 2014 | 0 | 0 |
| 2015 | 0 | 0 |
| 2016 | 1 | new terrorist financing plan |
| 2017 | 0 | 0 |

Appendix D

Lawfare Targets-Flight Bans

| Year | Flights # | Target |
|------|-----------|------------------|
| 1998 | 2 | Yugoslavia (2) |
| 1999 | 3 | Yugoslavia(3) |
| 2000 | 0 | |
| 2001 | 1 | Taliban |
| 2002 | 0 | o |
| 2003 | 0 | |
| 2004 | 0 | o |
| 2005 | 2 | Creation of list |
| 2006 | 3 | Creation of list |
| 2007 | 8 | Creation of list |
| 2008 | 4 | Creation of list |
| 2009 | 4 | list |
| 2010 | 10 | list |
| 2011 | 4 | list |
| 2012 | 2 | list |
| 2013 | 3 | list |
| 2014 | 4 | list |
| 2015 | 4 | list |
| 2016 | 1 | list |
| 2017 | 2 | list |

Note: There were not any flights that met the criteria for lawfare before 1998.



Appendix E

Number of Lawfare Instances by Type 1993-2017

| Year | Lawfare Tot | Flight # | Sanctions | Restriction Measures |
|--------|-------------|----------|-----------|----------------------|
| 1993 | 1 | 0 | 1 | 0 |
| 1994 | 1 | 0 | 1 | 0 |
| 1995 | 1 | 0 | 1 | 0 |
| 1996 | 2 | 0 | 2 | 0 |
| 1997 | 6 | 0 | 6 | 0 |
| 1998 | 2 | 2 | 0 | 0 |
| 1999 | 6 | 3 | 1 | 2 |
| 2000 | 2 | 0 | 0 | 2 |
| 2001 | 7 | 1 | 0 | 6 |
| 2002 | 15 | 0 | 0 | 15 |
| 2003 | 17 | 0 | 0 | 17 |
| 2004 | 15 | 0 | 0 | 15 |
| 2005 | 22 | 2 | 0 | 20 |
| 2006 | 18 | 3 | 0 | 15 |
| 2007 | 32 | 8 | 1 | 23 |
| 2008 | 26 | 4 | 1 | 21 |
| 2009 | 20 | 4 | 0 | 16 |
| 2010 | 38 | 10 | 0 | 28 |
| 2011 | 39 | 4 | 0 | 35 |
| 2012 | 25 | 2 | 1 | 22 |
| 2013 | 19 | 3 | 0 | 16 |
| 2014 | 30 | 4 | 0 | 26 |
| 2015 | 47 | 4 | 0 | 43 |
| 2016 | 35 | 1 | 1 | 33 |
| 2017 | 13 | 2 | 0 | 11 |
| Total: | 439 | 57 | 16 | 336 |

Appendix F

EU Institutions That Enacted Flight Bans 1998-2017

| Year | Flights # | EU Institution |
|------|-----------|----------------|
| 1998 | 2 | C(2) |
| 1999 | 3 | C (2), CM(1) |
| 2000 | 0 | |
| 2001 | 1 | CM(1) |
| 2002 | 0 | |
| 2003 | 0 | |
| 2004 | 0 | |
| 2005 | 2 | C(0), P (2) |
| 2006 | 3 | CM(3) |
| 2007 | 8 | CM(8) |
| 2008 | 4 | CM (4) |
| 2009 | 4 | CM (4) |
| 2010 | 10 | CM(10) |
| 2011 | 4 | CM(4) |
| 2012 | 2 | CM (2) |
| 2013 | 3 | CM(3) |
| 2014 | 4 | CM(4) |
| 2015 | 4 | CM(4) |
| 2016 | 1 | CM(2) |
| 2017 | 2 | CM(2) |

Note: There were not any flights that met the criteria for lawfare pre-1998.

C-Council
CM-Commission
P-Parliament



Appendix G

EU Institutions That Enacted Sanctions 1993-2017

| Year | Sanctions | EU Institution |
|------|-----------|-------------------|
| 1993 | 1 | C(1) |
| 1994 | 1 | C(1) |
| 1995 | 1 | C(1) |
| 1996 | 2 | n/a, C(1) |
| 1997 | 6 | C(1) |
| 1998 | 0 | |
| 1999 | 1 | C(1) |
| 2000 | 0 | |
| 2001 | 0 | |
| 2002 | 0 | |
| 2003 | 0 | |
| 2004 | 0 | |
| 2005 | 0 | |
| 2006 | 0 | |
| 2007 | 1 | C(o), CM(o), P(1) |
| 2008 | 1 | C(o), CM(o), P(1) |
| 2009 | 0 | |
| 2010 | 0 | |
| 2011 | 0 | |
| 2012 | 1 | P(1) |
| 2013 | 0 | |
| 2014 | 0 | |
| 2015 | 0 | |
| 2016 | 1 | n/a |
| 2017 | 0 | |

C-Council
CM-Commission
P-Parliament

Appendix H

EU Institutions That Enacted Restrictive Measures 1993-2017

| Year | Restrictions | EU Institution |
|------|--------------|----------------------|
| 1998 | 0 | 0 |
| 1999 | 2 | C(2) |
| 2000 | 2 | C(1), CM(1) |
| 2001 | 6 | CM(5), C (1) |
| 2002 | 15 | C(2), CM(12), P(1) |
| 2003 | 17 | C (0), CM (17), P(0) |
| 2004 | 15 | C(o), CM(15), P(0) |
| 2005 | 20 | C(o), CM (20), P(o) |
| 2006 | 15 | C(2) CM(13), P(o) |
| 2007 | 23 | C(4), CM(18), P(1) |
| 2008 | 21 | C(2), CM(19), P(0) |
| 2009 | 16 | C(o), CM (13), P(3) |
| 2010 | 28 | C(5), CM (23) |
| 2011 | 35 | C(21), CM (14), P(o) |
| 2012 | 22 | C(20), CM(2) |
| 2013 | 16 | C(16), CM(o), P(o) |
| 2014 | 26 | C(26), CM(o), P(o) |
| 2015 | 43 | C(43), CM(o), P(o) |
| 2016 | 33 | C(33), CM(o), P(o) |
| 2017 | 11 | C(11) |

Note: There were not any restrictive measures that met the criteria for lawfare pre-1998.

C-Council
CM-Commission
P-Parliament



Appendix I

Council of the EU Concerning Restrictive Measures Against the Taliban 15
November 1999

1999/727/CFSP: Council Common Position of 15 November 1999 concerning restrictive measures against the Taliban

Official Journal L 294 , 16/11/1999 P. 0001 – 0001

COUNCIL COMMON POSITION

of 15 November 1999

concerning restrictive measures against the Taliban

(1999/727/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

(1) On 15 October 1999 the United Nations Security Council adopted Resolution 1267 (1999) setting out measures to be imposed against the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan, unless the Taliban turn over Usama bin Laden by 14 November 1999; these measures concern a ban on flights by carriers owned, leased or operated by the Taliban and a freeze of funds and other financial resources held abroad by the Taliban;

(2) Action by the Community is needed in order to implement the measures cited below,

HAS ADOPTED THIS COMMON POSITION:

Article 1

Flights to and from the European Community carried out by aircraft owned, leased or operated by or on behalf of the Taliban under the conditions set out in UNSCR 1267 (1999) will be banned.

Article 2

Funds and other financial resources held abroad by the Taliban under the conditions set out in UNSCR 1267 (1999) will be frozen.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the Official Journal.

Done at Brussels, 15 November 1999.

For the Council

The President
T. HALONEN

Appendix J

Council of the EU Concerning Restrictive Measures Against the Federal Republic of Yugoslavia

1999/318/CFSP: Common Position of 10 May 1999 adopted by the Council on the basis of Article 15 of the Treaty on European Union concerning additional restrictive measures against the Federal Republic of Yugoslavia

Official Journal L 123 , 13/05/1999 P. 0001 – 0002

COMMON POSITION

of 10 May 1999

adopted by the Council on the basis of Article 15 of the Treaty on European Union concerning additional restrictive measures against the Federal Republic of Yugoslavia

(1999/318/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

(1) Whereas on 8 April 1999 the Council concluded that extreme and criminally irresponsible policies and repeated violations of United Nations Security Council Resolutions by the Federal Republic of Yugoslavia (FRY) had made the use of the most severe measures, including military action, both necessary and warranted;

(2) Whereas on 26 April 1999 the Council expressed its strong and continuing support for maximum pressure on the FRY authorities to accept the five conditions prescribed by the International Community;

(3) Whereas the Council agreed to implement a ban on the sale and supply of petroleum and petroleum products by 30 April 1999 and to extend the European Union sanctions regime by extending the travel bans; extending the scope of the freeze of funds; prohibiting the provision of export finance by the private sector further to the existing moratorium on government-financed export credits; extending the ban on new investments; widening the scope of the prohibition on the export of equipment for internal repression and its extension to include goods, services, technology and equipment for the purpose of restoring or repairing assets damaged in air strikes; discouraging the participation of the FRY in international sporting events; banning all flights between the FRY and the European Community;

(4) Whereas the Union will consider every opportunity to help Montenegro bear the burdens imposed upon it by the conflict in Kosovo;

(5) Whereas the European Union considers the alignment of its Associated Countries of Eastern and Central Europe and Cyprus, and the EFTA countries important to maximise the impact of this Common Position;

(6) Whereas action by the Community is needed in order to implement some of the measures cited below,

HAS ADOPTED THIS COMMON POSITION:

Article 1



1. No visas shall be issued for President Milosevic, his family, all Ministers and senior officials of the FRY and Serbian Governments, and for persons close to the regime whose activities support President Milosevic.
2. The visa bans established in Common Positions 98/240/CFSP(1) and 98/725/CFSP(2) are confirmed.
3. The persons listed in the implementing Council Decision have been identified as falling within the scope of the prohibitions identified in paragraphs 1 and 2 and shall be reported for the purposes of non-admission in the territories of the Member States. All updates of the list shall be subject to an implementing decision by the Council.
4. In exceptional cases, exemptions may be made if this would further vital Union objectives and be conducive to political settlement.

Article 2

The scope of the freeze of funds held abroad by the FRY and Serbian Governments will be extended, covering individuals associated with President Milosevic and companies controlled by, or acting on behalf of the FRY and Serbian Governments.

Article 3

The provision of export finance by the private sector to the Government of the FRY, the Government of the Republic of Serbia, a company, institution, undertaking or entity owned or controlled by those governments, or to any person acting on their behalf, will be prohibited.

Article 4

All flights operated commercially or for private purposes between the FRY and the European Community will be banned.

Article 5

No goods, services, technology or equipment will be exported to the FRY suitable for repairing damage caused by air strikes to assets, infrastructure or equipment which enable the Government of the FRY to conduct its policy of internal repression.

Article 6

The Presidency will ask the Associated Countries of Eastern and Central Europe and Cyprus and the EFTA Members to align themselves with this Common Position in order to maximise the impact of the above measures.

Article 7

This Common Position will be kept under constant review.

Article 8

This Common Position shall take effect on the date of its adoption.

Article 9

This Common Position shall be published in the Official Journal.

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

(1) OJ L 95, 27.3.1998, p. 1.

(2) OJ L 345, 19.12.1998, p. 1

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