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Expansion and Reorganization

Ross Ryan

Regular readers of the Peace and Conflict Review will notice a great deal of changes in this Fall 2008 issue, which is an important milestone in our ongoing development.

Although we have been publishing scholarly articles since early 2006, we have recently reorganized and expanded the journal to offer a wider range of articles in each issue, as well as a comprehensive book/article review section. For now, we will be offering the Review on a semi-annual basis, with Fall and Spring issues. At our offices at UPEACE headquarters in Costa Rica, Fall and Spring are rather abstract concepts, of course, so we have revised our volume and issue numbering system as well.

The issue that you are currently reading (Fall 2008, vol. 3 no.1) is the first to follow the new system. You will notice, however, that we remain committed to providing our content in the most accessible way possible – as an open, online journal. Our goal is to stimulate thought and discussion based on sound reasoning and research, not to solicit money or personal information from our readers.

Similarly, our commitment to academia, and the field of peace and conflict studies in particular, remains as strong as ever. Accordingly, we will continue to publish arguments and analyses of significance to our discipline, in accordance with the standards set by the Review's board of editors. These standards of quality, though rigorous, are intended to be flexible enough to accommodate a plurality of perspectives.

The variance of style and approach contained in the articles of this issue should be seen, therefore, as a reflection of the diverse, interdisciplinary nature of peace and conflict studies. To this effect, we have included articles on the relationship between development work and the peace process in Kashmir, the psychology of shame and humiliation in the culture of war, and the current agenda for reforming the United Nations in light of non-traditional security threats, as well as a conference paper on the Japanese Constitution, and several review articles covering even more topics – ethnic conflict, terrorism in the age of mass media, and the ethical implications of global climate change.

As always, submissions and feedback from our readers are highly encouraged, and should be directed to editor@review.upeace.org.

Ross Ryan

Managing Editor

War, Security, and Humanitarian Intervention in the United Nations Reform Agenda

Francesca Musiani

Current and recent events are exposing open ends in the body of international law concerned with the use of force – as well as the deficiencies of the United Nations Security Council to respond to “new” security threats or effectively counter unilateralism.

This paper analyses the extent to which the recent proposals for United Nations reform have satisfactorily addressed the three following areas: the use of force in self-defence; the role of the Security Council in the collective security system; and finally, the newly developed concept of a “responsibility to protect” as the foundation of humanitarian intervention. Are changes in the legal framework regulating the use of force needed, and acknowledged in the UN reform agenda? Or are the existing provisions of the Charter sufficient to address the full range of threats to international peace and security?

The attempt to answer these questions will include an analysis of current and recent State practices, relevant international instruments, and proposals made in the context of UN reform before and during 2005 World Summit.

The military actions undertaken by Russia and Georgia in the disputed border regions of Ossetia and Abkhazia in August 2008 constitute the most recent, eloquent example of the dilemmas and open ends included in the body of international law covering the issues of war, collective security and intervention – the use of force in international relations. They also bring to the spotlight, more vividly than ever, the deficiencies and inabilities of the United Nations Security Council to live up to its mandate, i.e. “to maintain [...] international peace and security” in accordance with the principles and purposes that led sixty years ago to the establishment of the United Nations, so that generations to come could be spared the “scourge of war” (UN Charter Art. 39 and Preamble).

The situation in Georgia should not, however, overshadow the rest of recent history and the many warnings it has provided in the same respects. In fact, the fracture of early 2003 between the permanent members of the Security Council concerning the opportunity of an armed intervention against Iraq had already underlined dramatically – even more given its well-known consequences – the long-term deficiencies of the security system created in 1945 and no longer up to pace with the changed balances in international relations (Slaughter 2005).[1] The evidence of this led then Secretary-General Kofi Annan, in September of the same year, to proclaim in front of the 58th General Assembly (GA) the compelling necessity of a reform of the United Nations, to involve both the structure of the organization (one of the primary objectives being a revision of the composition of the Security Council) and rules of conduct of member states and the organization itself. Such an approach would have enabled the system to respond adequately and promptly to “new” threats to security – international terrorism, nuclear weapons proliferation, the chronic poverty of some areas of the world that favours the spreading of terrorist activities and organized crime – and, last but not least, would have more effectively fought the evident drift towards unilateralism.

To these aims, the SG selected in November 2003 a High Level Panel on Threats, Challenges and Change, with the mandate to delve into the most problematic aspects of current international relations and formulate recommendations for the reform of the UN system, to be discussed by member states at the World Summit scheduled for 2005. The High Level Panel report, meaningfully entitled *A More Secure World: Our Shared Responsibility*, appeared in 2004; taking it as a starting point for his reflections, Mr. Annan produced in 2005 his personal contribution to the identification of reform lines within the UN, in a report entitled *In Larger Freedom*. On these foundations opened the World Summit in September 2005, whose conclusions are expressed in GA Resolution 60/1, also called *World Summit Outcome Document (WSOD)*.

Of primary interest to this paper are the paragraphs of these documents related to collective security and the principle of prohibition of the use of force, on which the UN was originally built and constitutes for the majority of states – despite repeated violations – the cornerstone of international relations in the post-World War II era. Unfortunately, the WSOD has been far less successful in this regard than public opinion expected and previous objectives stated; in particular, some interesting yet controversial proposals coming from both the Panel's and the SG's reports, drawing directly from current events, actions and positions, have been completely disregarded. The part of the WSOD concerning collective security and peace seems to focus on quite traditional positions, recalling word-to-word the aims of the UN as originally stated in the Preamble and Article 1 of the Charter and reaffirming the current system's suitability to face its challenges; in short, what lacks is precisely the urgent, collective and firm response to those challenges that was the aim of the 60th Anniversary Summit.

In the area of collective security and peace, as mentioned, the WSOD does not acknowledge the need for modifications to the procedures and rules of conduct as they were originated in the Charter and subsequently reaffirmed by GA resolutions. Member states reaffirm the interdependence between development, human rights and international peace and security; their commitment to multilateralism and to the exclusive authority of the SC in the adoption of coercive measures to maintain and re-establish peace and security – all this with the conviction that “the relevant provisions of the Charter are sufficient to address the full range of threats to international peace and security” (WSOD par. 79).

The remainder of this paper will address the extent to which this is true, with particular attention to the areas of self-defence, SC intervention, and humanitarian intervention, analyzing current and recent state practice, relevant international instruments, and proposals made in the context on UN reform before the Summit outcome.

The Use of Force in Self-Defence

The notion of lawful self-defence included in Article 51 of the Charter is the only legal instrument available to states in order to justify use of force on their part. Thus, states have often tried to manipulate its meaning by ascribing to it measures that were clearly not an answer to an armed attack (such as raids in territories of unconsenting third states to save nationals, or attack alleged terrorist camps or armed groups headquarters). Article 51 has often been cited in alleged response to still-potential threats, as in the 1981 Israeli attack against a nuclear plant on Iraqi territory. These allegations

have never found support in the SC and the preventive attack by Israel was unanimously condemned by the Council, including the US, as a flagrant violation of the Charter and of international norms of conduct (SC Resolution 487, 19 June 1981).

A more consistent dilemma regarding the interpretation of Article 51 is the possibility of resorting to self-defence to repel an imminent attack (e.g. by repelling the enemy before the crossing of an international border, or destroying a launch base before missiles are launched against a state). This is to be considered different than the previous Israeli example and even from the “Bush Doctrine” of pre-emptive self-defence (Langille 2003); the key is to distinguish an imminent attack from a possible/hypothetical one. This interpretation of Article 51 and the underlying norm of customary international law (CIL) is traditionally sustained by Israel and Anglo-Saxon countries and scholars, drawing from the Caroline case (Harris 1998, 894-895). On this point, the 2004 High Level Panel report contains a precise position, awarding the right to engage in military action as self-defence to the state, within the proportionality and necessity requirements, when the state is confronted by an imminent threat (par. 188). To avoid any confusion with the so-called Bush Doctrine, explicitly rejected by the Report (parr. 189-190), the document further states that for the action to be legitimate, it is necessary for the threat to be actually imminent and not merely likely (an example of the latter would be a State developing a nuclear arsenal with possible hostile intent). In the latter hypothesis (an anticipatory rather than a pre-emptive self-defence), the state that deems it necessary to use force should ask for a SC authorization (parr. 190-191).

Despite affirming the lack of necessity to re-write or radically reinterpret Article 51, the Panel reaches conclusions that are not in continuity with most SC practice and part of the ICJ’s jurisprudence (e.g., in the Advisory Opinion on the Threat or Use of Nuclear Weapons; ICJ Reports 1996, 226). In a recent decision (Democratic Republic of Congo v. Uganda), the ICJ has also clarified a controversial point: the fact that a state can claim self-defence exclusively in response to an armed attack made by another state, or clearly referable to a state (ICJ 2005, par. 144).

The SG report, in turn, comes to the conclusion that Article 51, as formulated in the Charter, is fully appropriate in cases of armed response to imminent threats; the use of force as pre-emptive defence against “external or internal” threats to international peace and security is to be considered, on the other hand, as the SC’s exclusive competence (Annan 2005, parr. 122-124). “Pre-emptive” self-defence is thus subordinated to an express authorization of the SC, as the interpreter and “voice” of the international community’s collective security needs (id., parr. 125-126). To make the actions of the SC transparent and accountable (thereby “reassuring” states in light of the recent controversy of the body’s inaction in the Iraq case) the two documents suggest five criteria to be fulfilled before use of force is authorized: the gravity of the threat for state security; the proportionality between means and aim; the exclusive aim to neutralize the threat; the absence of peaceful alternatives; a comparative evaluation of the consequences in light of the initiative’s likely success and the risk of producing no major damage than the one caused by inaction (Panel 2004, par. 208). These criteria – aimed, on one hand, at the widest possible support to the SC decision, and on the other, at minimizing the risk of unilateral intervention – should have been precisely stated in SC and GA resolutions (id., par. 208); the SG moves in the same direction, attributing the duty to outline the conditions for authorization exclusively to the SC, in the framework of a broader resolution on the use of force (Annan 2005, par. 126).

Without over-emphasizing the proposed solutions – which are not sufficient to change the Charter provisions nor to formally bind the SC to a precise interpretation – it is to be underlined that they constitute an attempt to refer a controversial aspect of current state practice to the existing rule of law, without compromising balances between the UN and its member states in the use of force framework.

In the WSOD, no trace is to be found of the related considerations developed in previous Reform documents, it is, rather, a simple and vague re-affirmation of a commitment to multilateralism and to the main responsibility of the SC in deciding on coercive measures, and a reiteration of the multilateral system's self-sufficiency in face of new threats (WSOD 2005, par. 79). In the absence of a specific position on the interpretation of Article 51 as outlined in the previous two documents, the resolution seems to affirm, at least, the lack of *opinio juris* on the legitimacy of pre-emptive self-defence (as defined in the previous documents).

The Role of the Security Council in the Collective Security System

The only authorization of the use of force by the SC included in the Charter is in favour of regional organizations and agreements, for the development of coercive actions included in their Statutes (UN Charter, Art. 53). SC practice, instead, has seen the authorization to use armed force (awarded to member states, individually or within regional member states, and even to ad hoc coalitions) for peace-enforcement, peace-keeping and peace-building operations. In this sector, the international community has recently witnessed a significant capacity of autonomous intervention by regional organizations, established in specific provisions of the respective Statutes and supported by organizational agreement between member states. According to the powers endowed to the organization by its statute, these can be operations conducted with the consent of the state subject to intervention (Charter, Art. 52), or actual coercive operations implying SC authorization (*id.*, Art. 53).[2]

According to the Charter's original design, regional organizations should request SC authorization for those operations that require use of force in a coercive way; thus, traditional peace-keeping initiatives (as in consensual, impartial and not requiring use of force) should fall under the self-determination of the regional organization. In practice, however, the border line between peace-keeping and peace-enforcement is not clearly traceable (in particular as regards the level of armed force used); missions often change in the operational phase, to acknowledge current events and developments – as the UN mission in Somalia showed.[3] Recent events underline how the UN is often, in fact, running after interventions initiated by regional organizations, especially those endowed with a normative framework and permanent or semi-permanent operational resources that allow quick decisions and equally rapid action (e.g. ECOWAS, whose actions in Sierra Leone and Liberia were formally supported by the SC at a later stage only, with an “*ex post*” authorization and operational collaboration).[4]

In an attempt to refer the different interventions for peace to a comprehensive framework, the High Level Panel recommended that all the regional operations of peace-keeping (including the ones implying use of force), be authorized by the SC with a proper mandate (Panel 2004, parr. 212-213). The WSOD, on the other hand, generally emphasizes the meaningful contribution given by regional organizations to the cause of international peace and security, and supports the development of appropriate military

capacity by such organizations, suitable for a quick response, while encouraging the establishment of agreements between the UN and regional bodies for a permanent coordination in the sector, including such contingents in the stand-by arrangements system (WSOD 2005, parr. 92-93 and 170). The document seems to reflect the de facto relationship that recently developed between the UN and regional bodies: one of complementarity, in which the UN holds a coordination role, rather than imposing a subordination on regional organs as outlined in Chapter VIII of the Charter.

In the WSOD, the GA does not acknowledge, at least explicitly, the indications of the Panel regarding the SC's commitment to the support of regional operations (Panel 2004, par. 86), nor does it incorporate the SG's recommendation for the creation of an integrated resources system to be employed in joint UN-regional organ(s) operations (Annan 2005, par. 112). Rather, it solicits, in much more general terms, a reinforcement of the cooperation and consultation mechanisms between the UN and the concerned regional and sub-regional mechanisms, and encourages formal cooperation agreements between secretariats. Particular attention is given to the strategic and financial strengthening of the intervention capacity of the African Union in order to improve the stability and security of the continent, in accordance with a recommendation by the Panel (par. 272). Inversely, the Panel's proposals for the development of effective mechanisms for quick deployment of peace-keeping forces, and on the identification of criteria and resources to jointly finance and train these forces, are not considered. Similarly, the proposal to strengthen, with proper SC authorization, the capacity of peace-keeping missions to face every varying circumstance with an equally varying amount of force (Panel 2004, parr. 212-219), is neglected.

It is also worth noting that the objective of creating a multi-task, institutional body to support the phase of post-conflict reconstruction is indicated in both reports as one of the main priorities within the UN Reform. The Peace-building Commission, established in 2005 and created in 2006,[5] is called upon to act "institutionally" in those contexts where the UN has already acted in the past, with mixed outcomes – Kosovo, East Timor, Sierra Leone – and incorporating, under a Security Council mandate, different kinds of contributions and competences made available by states and international organizations.

Humanitarian Intervention: A Responsibility to Protect?

Fostered by a relevant, albeit limited, state practice, and by a widespread scholarly debate, the question of humanitarian intervention through the use of force is currently in the spotlight. Is it legitimate for states, regional organizations or ad hoc coalitions to use force as a response to humanitarian emergencies, in situations where local authorities are unable or unwilling to act?

This has been the subject of an extensive debate in recent times,[6] and has been NATO's "legal" justification for the Kosovo intervention in 1999, as is widely known (Legault 2006). However, even before that, there had been military interventions unauthorized by the SC for allegedly similar purposes, such as the Provide Comfort operation in Iraq for the creation, in the northern part of the country, of a humanitarian corridor for Kurds.[7] Moreover, throughout the Nineties, many of the interventions conducted under a Chapter VII mandate, or a specific SC authorization, have dealt with situations of grave humanitarian emergency: Somalia, Rwanda, former Yugoslavia, etc. This has been recently acknowledged normatively, in the Constitutive Act of the African Union – which, beyond the traditional

right to territorial sovereignty, outlines the AU's right to intervene coercively in the territory of a Member state in case of grave events such as a genocide, war crimes, or crimes against humanity (Art. 4h).

Considering the high level of uncertainty that characterizes the normative framework related to the use of force and humanitarian intervention – and, on the other hand, the present need of clarity on the subject – it would have been appropriate for the UN Reform documents to delve as much as possible into the conditions, if any, that might legitimate the use of force for humanitarian purpose, or at least make it more compatible with the prohibition of unilateral resort to force. Such an examination and eventual recommendations appear even more appropriate in light of the possibility of future developments of “hard” international law instruments on the subject.

The WSOD fails to achieve this important objective, despite the High Level Panel making explicit reference to it as an issue worth of special attention. In the Panel's report, the legitimacy of such interventions is discussed within the section dedicated to collective security and use of force. In this section, the circumstances in which the effective safeguard of collective security might yield to the use of armed force are identified as: ongoing or immediate armed attack; threat imposed by a state to other(s) outside of its own borders; and, interestingly, the “internal” threat aimed at the population of a state, faced with genocide, ethnic cleansing or large-scale human rights violation (Panel 2004, parr. 199-201). The Panel faces the question of whether a right or maybe even a duty exists for states to intervene in such cases, and its response is that ever since the adoption of the 1951 Convention qualifying genocide as an international crime for which there is a commitment by states to ensure adequate prevention and repression, a CIL norm has gradually formed that deals with the common, collective responsibility of states to protect civil populations in circumstances where local governmental authorities are unable or unwilling to do so – a responsibility that may include, as a last resort, the use of force (*id.*, par. 200).

In situations such as Somalia, Bosnia and Herzegovina, Rwanda, or recently Darfur, the principle of non-intervention should yield, in the Panel's vision, to an external action inspired by the responsibility to protect involving not only the population of the specific state, but the whole international community (*id.*, par. 201). The exercise of the collective responsibility to protect, the Panel underlines, must fit within the collective security framework disciplined by the SC, that will need to examine, prior to its authorization to use force, the extent to which a threat to international peace and security exists (UN Charter, Art. 39), which is “not especially difficult when breaches of international law are involved” (Panel 2004, par. 202).

Despite the fact that the consequences of the “emerging norm of a collective international responsibility to protect” (Panel 2004, par. 203) are in fact referred to in the provisions and procedures of the Charter, in particular Chapter VII, this is not just a mere reproduction of the founding document. Chapter VII enters into play in the Panel's considerations only to allow the SC, within the actual terms of the Charter, to undertake legitimately the exercise of such responsibility to protect, “in pursuit of the emerging norm” (Panel 2004, par. 202).

In other terms, as it clearly emerges from the relevant paragraphs of the report, the Panel's argument is that the duty to protect civilian populations in case of unable or unwilling government is applicable to states as the result of an emerging CIL norm, independent from the United Nations Charter. What is necessary is to verify if such responsibility – pertaining to every state, but to be exercised collectively – can be carried out within the existing multilateral cooperation framework. The Panel answers this question affirmatively, concluding that the language of Chapter VII is so broad that situations of emergency not explicitly included in the Charter can still fall under the umbrella of the Article 39 requirements for collective action. This does not prevent the Panel from outlining five “legitimacy conditions” the SC should take into account before awarding authorization. Such pre-determined (and as such, relatively objective) parameters are meant not only to increase the transparency and accountability of the SC (countering the “democracy deficit” label it often faces), but, first and foremost – and despite their evaluation on a case-by-case basis remaining at least partially subjective – they mean to avoid leaving to the exclusive discretion of the body what is in fact the accomplishment or exercise of a collective responsibility referable to an emerging CIL norm (Panel 2004, parr. 204-209).

The WSOD document underplays this perspective completely, both in content and in terminology, by reproducing only what is formally contained in the Charter. First, a significant change of perspective with respect to the previous documents is to be found in the treatment of the “responsibility to protect” concept, that is located in the section dedicated to human rights (IV), and not in the peace and collective security section (III). Second, while citing the concept as developed by the Panel, the WSOD refers to its other, and way more traditional, consequences. The responsibility to protect, in all its facets including prevention, belongs to the “individual” state; the international community should, “as appropriate”, encourage and help the state to carry this individual responsibility, using all peaceful means in conformity with Chapters VI and VIII of the Charter, and support the establishment by the UN of a mechanism of monitoring and early warning (WSOD 2005, par. 138). States declare themselves available (but not committed) to develop an eventual collective action through the SC on a case-by-case basis, cooperating with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities’ protection a failure (id., par. 139). States also “intend to commit”, to helping other states build internal protection capacities – always “as necessary and appropriate” – and underline the necessity for the GA to continue considering the responsibility to protect concept “bearing in mind the principles of the Charter and international law” (id., par. 139).

Beyond this brief reference to international law, the significance of which is not entirely clear, the resolution does not bear any trace of the “emerging norm” to which the possible use of force in situations of humanitarian emergencies is linked in the Panel's and the SG's reports. The WSOD also does not contain any reference to the suggestions made in previous documents, to take into account the developments of international law in the sector of the use of force, and their repercussions on the international community.

Despite past examples of UN resolutions that become more inconsistent as they become longer, one needs to note with disappointment the banality of the response given by the gathering of all the governments of the planet, after years of reflections and analyses at the highest levels, to a question that has not only been passionately debated by international law scholars, but is constantly put in the spotlight by current events.

The silence of the WSOD on other aspects of contemporary use of force, such as so-called pre-emptive self-defence, might be read in a positive light as the expression of the will of states not to endorse in any way the current “centrifugal” tendencies of some states with respect to Article 2(4). However, the same cannot be said for a hypothesis that is linked to the recognition of core values of the international community – values that have been acknowledged by international law only after the adoption of the UN Charter. The silence, or at best opaque response, of the Summit is highly problematic, when one thinks of the humanitarian catastrophes that have taken place in recent years with the indifference of the international community, as well as, the unilateral interventions with supposedly humanitarian aims that states have developed, or plan to do so, outside the multilateral system.

Conclusions

The analysis of the High Level Panel and Secretary-General’s reports, compared to the overall low profile of the World Summit Outcome Document and its fundamental lack of answers in a field of crucial importance in international relations as the use of force, lead to some conclusive considerations.

Firstly, the WSOD embodies a worrying lack of ideas and capacity to adopt a general perspective able to include the complex problems of security that the world is currently facing, interlinked with economy and human rights.

Secondly, the document quite clearly outlines the absence of an international capacity to gather consensus around a plan that, not penalizing national interests, is nonetheless able to integrate them in a more balanced and stable system of relationships between states. In the absence of this capacity, it becomes more likely that the notion of world leadership keeps on being considered as the capacity to impose, in the short-term, solutions inspired to national interest, while neglecting the possible consequences at a broader level. This is a notion that has prevailed in some recent and controversial cases, with well-known consequences.

The United Nations was born with the aim of building the normative and institutional architecture of a new, comprehensive system of international relations – encompassing economy, politics, law – aimed at ensuring that long-term balance of interests and forces that would ultimately avoid a new planetary conflict. Many consider this original plan to be, at least partially, a failure. However, this is probably due, in turn, to the failure to properly implement what is contained in the formal provisions of the UN Charter in the field of collective security (Arts. 43-50), and what this implies for economic and social cooperation.

At the same time, after sixty years the original design has been deemed, rightly or wrongly, “sufficient to address the full range of threats to international peace and security” (WSOD 2005, par. 79). While reading the WSOD, the question that arises does not only concern the will of states to be a part of the multilateral system, recently declared even by the most convinced promoters of unilateralism,[8] but rather the capacity of governments worldwide to set up appropriate shared strategies – shared in their foundations, objectives and resources – to face the challenges of the new millennium. If this capacity lacks, unilateral action may constitute the only way to achieve results -- as partial, incomplete and

superficial as they may be – to the detriment of a more serious search for solutions to the complex challenges of today’s world.

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Footnotes

[1] The first relevant example is likely the military intervention of 1999 in Serbia and Montenegro, also conducted outside the multilateral cooperation mechanism.

[2] In turn, many regional organizations and agreements (e.g. the African Union) include a number of conflict resolution possibilities that range from precautionary diplomacy to coercive interventions.

[3] http://www.un.org/Depts/dpko/dpko/co_mission/unosomi.htm and http://www.un.org/Depts/dpko/dpko/co_mission/unosom2.htm

[4] <http://www.un.org/Depts/dpko/missions/unamsil/background.html>

[5] www.un.org/peace/peacebuilding/

[6] First outlined by the International Commission on Intervention and State Sovereignty (ICISS) in the 2001 report "The Responsibility to Protect", the concept (often shortened to R2P) states that if a particular state is unwilling or unable to carry out its responsibility to prevent abuses such as genocide, massive killings and other massive human rights violations, that responsibility must be transferred to the international community, that will attempt to solve the issue via peaceful means and as a last resort,

through the use of military force. This principle, called by many of its supporters a doctrine in its own right, is fostered a number of factors and dynamics such as globalization and the increased interconnectedness of States, the recognition of human rights, the augmentation of intra-state conflicts and the shift of focus from state sovereignty to state responsibility vis-à-vis its citizens. See International Commission on Intervention and State Sovereignty (ICISS) (2001), *The Responsibility to Protect*.

[7] http://www.globalsecurity.org/military/ops/provide_comfort.htm

[8] See US Institute of Peace (2005). *Report of the Task Force on the United Nations, American Interests and United Nations Reform*, p. 2: “An honest, decent, and just headquarters for effective multilateralism will serve the American people well...”

About the Author

Francesca Musiani has recently become a PhD candidate in Socio-Economics of Innovation at the Centre de Sociologie de l'Innovation of the Ecole des Mines in Paris, France. She holds two Master's degrees, in International Law and the Settlement of Disputes from the UN University for Peace, Costa Rica and in Organizational Communication from the University of Padova, Italy. Her research interests include internet governance, multi-stakeholder decision-making processes, ICTs for development, new rights in the digital era, and the effectiveness and efficiency of international organizations.

The Peace Process and Prospects for Economic Reconstruction in Kashmir

Debidatta Aurobinda Mahapatra and Seema Shekhawat

The main argument of this paper is that the ongoing peace process between India and Pakistan provides enough space to carry on development activities in the Indian state of Jammu and Kashmir (J&K). It further argues that development activities can continue in a conflict zone, thus letting the conflict situation gradually subside as, among many other factors, poverty and underdevelopment are a cause of violence. Violence has affected the development scenario in the state of J&K, thereby not only discouraging private investment, but also creating obstacles in effective implementation of the developmental policies initiated by public authorities. However, with the ongoing peace process between India and Pakistan and with concomitant initiatives such as opening of the traditional intra-Kashmir routes, the hope for a durable and sustainable development in the state has gained ground, along with a renewed hope for peace.

Introduction

The Kashmir conflict is one of the most staggering conflicts in international politics, and its persistence involving two nuclear powers is well known. Even after four wars, a decisive resolution to the conflict appears unlikely -- the medley of treaties, agreements, and declarations notwithstanding. Though the parties involved in the conflict have their own perspectives regarding the cause and course of conflict, almost all agree (at least in declarations and statements) that the region is in dire need of peace as well as substantial economic development. Indeed, a decade of violence is on verge of ending without any positive achievement for the people. Due to the ongoing peace process, however, the atmosphere appears conducive for the launch of sustainable development initiatives in the conflict-ridden state. After all, this is the era of "sunrise" and "peace through economic reconstruction"[1] – and the state of Kashmir has an opportunity it would be well advised to take advantage of.

The costs of the conflict have been increasingly unbearable for all involved. According to the official estimates, some 40,000 lives have been lost since the onset of insurgency in 1989, though other estimates put the toll much higher. Large-scale displacement from different parts of the state is an integral part of the Kashmir conflict (Shekhawat, 2006, ch. 3). An estimated one million people have been displaced in the state due to militancy. Other humanitarian costs include negative impact on women and other vulnerable groups and a noticeable increase in the psychiatric problems of the victims (Medicins Sans Frontiers, 2006). For instance, the number of patients visiting hospitals in Srinagar for psychiatric diseases in 2003-2006 amounted to a staggering 45,000. The conflict has also cost the Indian government heavily in terms of the deployment of security forces as well as other financial responsibilities. The economic cost of the conflict cannot be confined to a particular sector of industry or investment prospects. It has affected the important sources of livelihood of local people such as tourism, horticulture and handicrafts industries. Besides exacting extensive damage to the infrastructure of the region, the violent conflict has discouraged private investment, pushing the economy towards stagnation. The downward trend of economy has been acutely felt since late 1980s when militancy

gained momentum. It is a vicious circle in which violence has led to underdevelopment and vice versa, and in this gruesome scenario it is the common people of the region who suffer the most.

The last decade has witnessed many remarkable developments in the world, and the wide reach of globalization is one among them. Conventional territorial boundaries and related disputes are challenged by increasing trans-border commercial and cultural exchanges and popular acceptance of democratic means of conflict resolution. The Kashmir conflict is no exception to it. There is an increasing realization of this trend and consequent activities have been initiated by India, Pakistan and civil society in Kashmir. The governments of India and Pakistan have expressed readiness to seize on this changing nature of politics by engaging with each other and Kashmir in an environment of peace. Involvement of people of Kashmir in the peace process has gained momentum in the recent years and there is an increasing realization that peace attempts and development programmes must go together. Keeping this evolving scenario in mind, this paper argues that the current atmosphere of relative peace must be utilized for the economic development of the state without impinging on political ramifications of the conflict.

This paper argues that the present opportunity, which the ongoing peace provides, can be used to set the derailed development of the state back on the right track. Though the Kashmir issue cannot be resolved only by means of economic development, vibrant economic growth in the region would not only better the lives of local people but may infuse spirit of reconciliation and harmony among them. The paper has based its arguments on a note of optimism, as the Kashmir conflict has never witnessed such a thaw as it is now, and this historical moment can be capitalized for the progress of the state.

For the sustainable development of Kashmir, this paper makes the case for participation of private players, as it argues assistance from public sector would not suffice nor does it provide enough rationale for development in the age of globalization and market reforms. There is also an urgent need to renew the indigenous industries as well as explore the new areas. The prospects of intra-Kashmir trade, which can bring economic prosperity to the region by trade in commodities produced on both sides, has remained unexplored so far.

In light of the above arguments, this paper analyzes the three Cs of the Kashmir conflict: Costs, Changing Contours, and Challenges, as well as outlining a theoretical framework linking peace and development. While the section on the costs of the conflict discusses the economic destruction that the violent conflict has wrought, the second section focuses on the ongoing peace process, which has created an environment conducive to development. The third section is devoted to enumerating the challenges and opportunities of economic reconstruction of the state.

While conceding that a holistic view of development would encompass much more than economic factors alone, the paper confines its analysis to the economic development. The terms “development” and “economic reconstruction” are used interchangeably in this paper.

“Conflict” is a fluid and ambiguous term, and different people will interpret it differently depending on the context. For the purpose of this paper, the term “conflict” refers specifically to the militancy related violence in J&K. The term Kashmir is used as synonymous to J&K.

Peace and Development: The Linkage

Recent decades have seen the emergence and escalation of a wide variety of violent conflicts around the globe. Regardless of the motives, violent conflicts are usually disastrous socially as well as culturally; economically as well as politically. Apart from a few beneficiaries in the arms industry, economic disruption is an integral part of conflicts, negatively affecting people's livelihoods and the longer-term development process. With violence becoming a part of the everyday life, the whole system becomes "conflict habituated", with an emphasis from both sides on getting an edge and in this scenario, development takes a back seat. This has led some to question whether sustainable development can be advanced during times of protracted armed conflict.

Conflict and development are indisputably linked. Earlier development theory and practice were largely conflict-neutral, and even when they attended to conflict, the scope was quite limited. Traditional approaches to development presupposed that development takes place under conditions of peace. Yet that is rarely the case. The absence of peace is a pervasive global reality. Most countries have to strive for development against a background of past, present or threatened conflict (Secretary General of the United Nations, 1994). The modern development theories thus largely focus on conflict and development in a holistic framework.

Most often the cause or spur of conflict in many cases is lack of development – economic, political, or social – or a combination of all. The relationship between conflict and development is strong, and is a two way process: conflict retards development; and equally, failures in development substantially increase proneness to conflict. There arises a "conflict trap" – a cycle of conflict-related violence and economic retardation (Collier & Hoeffler, 1998). Modern analysts thus subscribe to the inclusive view that development cannot be reserved solely for peace and conflict-free environments. This argument is equally applicable to the situation in Kashmir.

Development activities can occur in conflict zones, Collier & Hoeffler argue, and thus play a role in defusing such situations gradually as, among many other things, poverty and under-development can fuel violence in conflict situations. Several studies have shown that the influence of conflict on development, and vice-versa, is significant in both exacerbating tensions and minimizing them (Buckles, 1999, and Anderson, 1999). The Organization for Economic Co-operation and Development (OECD), in its Policy Statement and Guidelines on Conflict, Peace and Development in 1997, also argues that Sustainable development cannot be achieved without peace and stability, and peace and security are not possible without meeting the basic needs of the people (OECD, 1997).

Though there is no commonly agreed definition of development, it can be broadly defined for the purpose of this paper as "a social contract for the public good that can be used pro-actively and consciously so that it becomes a tool of social, economic and political justice and healing". Studies from conflict-affected areas show that the economic reconstruction contributes positively to long-term political harmony (Junné & Verhoken, 2004). The paper agrees with this assumption and puts forth the argument that sustainable development in Kashmir with a people-centric approach can wean much of violence away and foster a process of conflict resolution.

In the majority of cases, the development process can continue even during the conflict situation, and the pace of development can be fruitfully increased parallel to peace processes. Benefits of continued development during conflict include: minimizing the cost of the conflict; providing means of survival to the people; and very importantly, avoiding the probability of a development vacuum in the post-conflict situation that increases the chances of conflict revival.

The theory of “development as freedom” by Amartya Sen (Sen, 1999) argues development and freedom are intimately related. Freedom is both constitutive of development and instrumental to it. Sen delineates five freedoms that are needed to bring true development: (1) political freedoms; (2) economic facilities; (3) social opportunities; (4) transparency guarantees; and (5) protective security. In this light, it can be argued that economic underdevelopment amounts to lack of freedom. This is very much the case in Kashmir, where all kinds of freedoms that are both “means and ends of development”, to use Sen’s terms, are under constant threat. He rightly argues that “Growth of GNP or of individual incomes can, of course, be very important as means to expanding the freedoms enjoyed by the members of the society” (Sen, 1999, p. 3).

The United Nations further substantiates this viewpoint. In one of its reports, the Secretary General of UN points out that, among other things, the promotion of sustainable economic development is an essential aspect of conflict prevention or resolution (Secretary General of United Nations, 1992). On the basis of above discussion, this paper argues that the ongoing peace process in Kashmir has provided the right occasion to initiate development programmes which would likely work as a bulwark against violence and precursor of peace.

Methodology

Literature on the costs of Kashmir conflict is scarce. As there is no substantial work on the peace and development linkages in Kashmir to date, this study is a novel one, and hence the major source of material is the first hand information gathered during the authors’ extensive field surveys in the region. The authors’ advantageous location in J&K from 2004 to 2007 was helpful in this context. It enabled them to monitor the political and economic trends in the region from close quarters. Besides the primary sources, the authors have consulted the available secondary sources.

Costs and Consequences of the Conflict

The Kashmir conflict commenced from the very beginning of the partition of the Indian subcontinent in 1947. Besides other factors, the geostrategic importance of the region made it a point of contention between the two neighbouring countries, India and Pakistan. Pakistan’s attempts to make the state ‘independent’ and India’s attempts to maintain territorial integrity impacted the development scenario in the state. [2] J&K, thus, never fared among the most developed states of India. The onset of violence in the late 1980s worsened the situation. A comparison of economic development in J&K with that of other states of India brings forth a dismal picture. For example, the average annual growth of Net State Domestic Product from 1980-81 to 1999-2000 was 12.45 per cent for J&K against 15.01 per cent, 14.28 per cent, 13.83 per cent and 14.3 per cent for Andhra Pradesh, Gujarat, West Bengal and Kerala

respectively. Similarly, the average annual growth of Per Capita Net State Domestic Product during 1980-2000 was merely 9.63 per cent for J&K against 12.9 per cent, 11.63 per cent, 11.63 per cent, and 12.86 per cent for Andhra Pradesh, Gujarat, West Bengal and Kerala respectively (Planning Commission of India, 2006, p. 1).

The conflict in J&K has caused extensive damage to the infrastructure. The basic infrastructure in terms of regular power supply, roads, communication systems, and drinking water remains poor in the state. The findings of the pre-budget Economic Survey 2007-08 in the state presented a very grim picture on all major fronts (Pargal, 2008). The scant road density and the absence of rail and air links make smooth transport and communication become difficult in the mountainous region.[3] As per the survey findings, the road length per 100 square km area in J&K is 35.71 km as against 104.64 km in the country. The road density in this state is amongst the lowest in India with huge inter-district variations. J&K has a road density of 13 per cent with highest density of 81.8 per cent in Budgam district and lowest at 2.6 per cent in Leh district. The state has 2060 habitations which have no road connectivity at all. The communication facilities too are inadequate. There is one post office for a 60 sq km area, opposed to the national average of 20 sq km. Number of telephones per 100 people in the state is 7.76, which is well short of the all India level of 13.57. Unlike the other states of India, the mobile phones with pre-paid services do not have roaming facility outside the state. The state is also under acute electricity crisis and many times there are 11 to 14-hour power cuts. Worse, as many as 25 per cent households in rural areas and 2 per cent in urban areas are without electricity. As many as 58 per cent rural population and 13 per cent urban population have no toilet facility. Safe drinking water is not available to 45 per cent people in rural areas and 4 per cent people in urban areas. There is just one medical centre for 3127 persons.

The state lags far behind in annual economic growth as compared to national level, and its per capita income is also well short of national average. The survey indicated that the state has shown 5.27 per cent annual growth during first three years of the 10th five-year plan -- this against the national average of 6.6 per cent. Per capita income in the state stands at INR 17,174 per annum, much below the national average of INR 25,907 per annum. Against the annual growth of 7 per cent at all India level during first four years of the five year plan, the state has achieved 6.11 per cent annual average growth rate during first two years of the plan and was expected to achieve 5.75 per cent annual average growth rate during last three years of the plan. The state has also felt the direct impact of conflict in terms of huge damage caused by violent incidents, taking its toll on both public as well as private properties. From 1989 to 2002, over 1,151 government buildings, 643 educational buildings, 11 hospitals, 337 bridges, 10729 private houses and 1,953 shops have been gutted in some 5,268 attacks on infrastructure. The enormity of economic damage due to militancy can be gauged by the fact that the estimates of damage till December 1996 were approximately INR 4 billion (Strategic Foresight Group, 2005, p. 70).

Tourism, one of the main industries in the Kashmir valley, has suffered tremendously due to violent activities. It has declined substantially since the late 1980s when militancy gained momentum. The number of tourists visiting the state per year had gone down from around 7,000,000 in the pre-militancy days to a few thousands in the following years. It is estimated that the state lost 27 million tourists from 1989-2002 leading to tourism revenue loss of \$3.6 billion. According to the records, while as many as 557974 tourists visited the state in 1989, in 1993 the number reduced to 8026. In the year 2002, 27358

tourists visited the state. Since then the number of tourists keeps on increasing or decreasing depending on the level of violence at that particular point of time. However, the number of tourists has never come anywhere near the level of tourists that visited the state in the pre-militancy period.

Another issue that remains almost elusive in the context of tourism sector in the state is that, while in the pre-militancy era the favourite destination was the beautiful Kashmir valley, the present period has witnessed increase in number of the tourists to Vaishno Devi shrine, in Jammu region and to Leh in Ladakh. During their surveys in Leh the authors interacted with many local and foreign tourists who regularly visit the area and are quite keen to visit Srinagar but prefer not to go (Personal Communications, May 21-June 1, 2007). Though the number of tourists to Srinagar has increased with the launch of the peace process, their specific targeting by the militants have led to decline in their numbers. The local people bemoan this tragedy befalling on them. Junaid Hussain, a shopkeeper in Srinagar (personal communication, July 26, 2006) told the authors, "The local economy has been completely shattered due to ongoing turmoil. While earlier thousands of outsiders thronged to the city, now only hundreds visit the valley."

Violence has also directly affected other important sources of livelihood such as agriculture, horticulture, and the handicraft industry. These sectors have become the survival mechanisms for the local people but are not flourishing. The state is known for wide variety of agricultural and horticulture products. However, the conflict environment has prevented people from maximally utilizing this gift of the nature. The horticulture industry has also suffered directly as well as indirectly due to conflict situation. These issues are discussed in detail in the section on challenges and opportunities.

The forests of the state, which once covered about eight thousand square miles, have also been among the principal casualties of the violence deforestation. Consequently, the state's forest area is below the standard prescribed by National Forest Policy that states the total forest area in hilly states like J&K should be 66 percent of the total land area. Official figures reveal that only 50.97 percent of the area in the state was demarcated as forests in 2006.

The forests in Kashmir included a diversity of flora - silver birch, chinar (a richly verdant variety of the maple), conifers and deciduous trees. The damage to these forests has deprived the state of many plants of medicinal value thereby negatively affecting the prospects of herbal trade. The forests resources have been damaged not only because of logging but also due to illegal poaching. Along with loss of forest, Kashmir has also lost the vast wildlife reserves which provided habitat for some rare and endangered species including the snow leopard, Ibex, antelope, Hangul (a sub-species of Red Deer), Kashmiri Otter, flying squirrel, long tailed marmot, musk deer, black bear and blue sheep. The number of Hangul, found only in Kashmir, is estimated to be merely around 137. More than hundred varieties of birds including quills, partridges, kites, eagles, pheasants etc. have virtually disappeared due to the loss of natural habitat.

The rapid shrinking of wetlands resulting from official apathy and rampant encroachment has endangered thousands of animals and migratory birds. The state had 16 wetlands, nine of them in Kashmir Valley. Experts predict these will vanish in less than eight years if they continue to be neglected. Environmental degradation has led to drying of springs and clogging of the waterways due to landslides.

There is a noticeable reduction in the size of famous waterways in the state. Dal Lake, one of the chief attractions in Kashmir valley, has been reduced in size and as well as in beauty due to encroachment, sewage flows, and the accumulation of decomposing vegetation and debris. The lake, which hosts a wide variety of flora and fauna, has historically contributed to the economy of the state by providing food in terms of fishes, fruits and vegetables, water, and attracting tourists. Despite attempts for restoration of the lake the results are not very encouraging. The River Jhelum, a potential export route, has also been severely polluted. Besides, the Wular, once Asia's largest natural freshwater lake and the Anchar Lake too have become the victims of the apathy. Though it can be argued the environmental degradation is the result of the human interference, the conflict environment has contributed to the dismal scenario. The conflict atmosphere fraught with the danger of security and safety of officials have led to loosening of the government control and increase in the level of interference of the lumpen elements in collusion with corrupt officials, thus giving rise to exploitation and degradation of natural resources.

J&K is a subsidized economy wherein almost all the expenses of the state are borne by the Indian government. The state government is unable to generate resources for meeting the expenses of salary payment of the employees. J&K, under its special category status, received varied assistance from the Indian government, including special plan assistance, special central assistance and additional financial assistance. The inception of militancy in the state has narrowed the resource base further and led to large-scale dependence on the Indian government. The Indian government also bears entire cost of security related expenditures of the state, including expenditures on financial assistance to Kashmiri displaced, welfare activities, additional expenditure on police and security works and related activities. The Indian government also reimburses the state for additional, election-related expenditures. Between 1989 and 2002, New Delhi reimbursed a total of INR 23.6 billion as security related expenditure.

The economy of J&K is, thus, fully dependent on federal largesse as the state lacks own resource generation mechanisms as well as the much needed private investment. In absence of private industries the government is the only employer. The limited opportunities especially in terms of vacancies have led to rise in unemployment, thus fostering disaffection among the disgruntled youth towards the government. The violence in the state has led to sharp increase in unemployment. The unemployment rate in the state is 4.21 per cent, compared with 3.09 per cent at all India level. In urban areas, the unemployment rate is higher, at 7.33 per cent, while in rural areas it is at 3.54 per cent. The Census of India 2001 shows that the rate of employment has decreased in the state after the violence became a norm of the everyday life in the late 1980s.

An analysis of this data shows that the total worker population has decreased sharply as compared to 1981 from 44.3 per cent to 36.6 per cent. According to the 2001 census report prepared by government of India, in J&K- home to about ten million people, only 44,000 people worked in one of the 1,155 registered factories and about 1,23,000 people worked in agriculture, fishing and forestry-related trades. It is estimated that the percentage of population living Below Poverty Line (BPL) in rural and urban areas was 3.97 per cent and 1.98 per cent respectively, much below the national average at 27.09 per cent for rural areas and 23.02 per cent for urban areas. These statistics remain contested by the fact that the principal reason militant organizations have been able to recruit large numbers despite popular

disillusionment with violence is that they offer the opportunity to earn a living (personal communications with ex-militants in Poonch and Rajouri districts of J&K, March 22-31, 2007).

According to conservative estimates, the militants have razed about 650 schools to the ground and security personnel have occupied several more in rural areas (Mahapatra, 2007).[4] One of the consequences of such activities is a low literacy rate in the state, which stands at 54.46 per cent as compared to the all India literacy rate of 64.8 per cent. According to Census 2001, the state figures among last four most illiterate and educationally backward states in India. Only Arunachal Pradesh, Jharkhand and Bihar were behind J&K. The quality of education has also been seriously affected by other aspects of the conflict, such as indefinite strikes, intermittent closures and other disturbances, including several educational institutions being set on fire. Human resources too have suffered enormously in J&K due to large-scale displacement of Kashmir Pandits, Sikhs and Muslims from the Kashmir valley, as also of those from the upper areas of the Jammu region.

Most of these people, living on relief provided by the government, are too far from engagement in any productive activity. The related issue of loss of creativity also needs to be seen as an adverse impact of violence stunting development prospects in the state. The fear of violence has forced people to think only about survival and not progress. The progressive bent of mind that plays a crucial role in the progress of a society has diminished in the state. The lack of opportunities and overall dismal scenario has also led to significant migration from the valley. Many educated youth from Kashmir have started migrating to other parts of India in search of greener pastures, thereby further depriving the state of the human resource.

The cost of the Kashmir conflict as described above is just a glimpse of the overall dismal scenario in the state. The human and material costs of the conflict may be much more than described above, which need further elaborate study and research. However, this analysis provides enough indication of the dismal economic scenario in the state. There is no doubt political, socio-cultural and economic challenges need sympathetic understanding as well as pragmatic actions. In this direction, the current atmosphere of relative peace can provide the needed synergy to divert the energy and resources towards development.

The Peace Process

The conventional territorial boundaries and related disputes are challenged by increasing globalization, trans-border cultural exchanges and popular acceptance of democratic means for conflict resolution (Griffith & O'Callaghan, 2002, pp. 66-68).[5] This trend is equally applicable to the Kashmir conflict, which is far more complex owing to multiple players – Indian, Pakistani, Kashmiri and other international actors. In the year 1998 both India and Pakistan developed nuclear weapons and in the year 1999 the Kargil crisis beckoned on these two foremost rival nations in South Asia with possibilities of nuclear confrontation, thus necessitating a process of dialogue with pressures from international community. In October 2003, India proposed ten confidence-building measures for improving people-to-people contacts and communications by road, rail and sea between the two countries, etc. It was followed by another positive development wherein a cease-fire came into effect on November 26, 2003 in the state

along the India-Pakistan international border, the Line of Control (LOC) and the Actual Ground Position Line (AGPL).[6]

The peace process is historic for two reasons. Firstly, it is the first formal truce between India and Pakistan since the outbreak of militancy in Kashmir. Secondly, it is for first time that firing on the borders stopped almost completely. The culmination of these developments was the agreement between the then Indian Prime Minister Atal Behari Vajpayee and then Pakistan's President Pervez Musharraf to initiate a peace process on the sidelines of the Islamabad South Asian Association for Regional Cooperation Summit meeting in January 2004. In a joint statement, they each proclaimed a willingness to start a composite dialogue for the peaceful settlement of all bilateral issues including Kashmir.

At the internal level, a major peace mission was launched to create an environment conducive to negotiations. India announced unilateral non-initiation of combat operations in J&K during the holy month of Ramdan on November 19, 2000. This initiative was extended twice up to February 26, 2001. Another important step was broadening democratic activity by holding elections in the state. J&K witnessed assembly elections in 2002 that have been widely recognized free and fair. These elections broke up the dominant, one party politics of the state, and a government was formed by the People's Democratic Party (PDP) in coalition with Congress and other parties. Under the elected government, the state played an active role in facilitating the peace process under the "healing touch" policy. This was followed by Panchayat elections after more than two decades. The attempt has been a major one despite the fact that the voter turnout remained low in both the elections.

After creating an environment conducive to negotiations, the government of India reiterated its readiness to initiate dialogue with every group in the state that abjures violence. In this context, three important attempts need special mention. First, the ongoing talks with the All Party Hurriyat Conference (APHC), the moderate faction, wherein Indian prime minister has met them twice. The Hurriyat meeting with Prime Minister was first ever meeting the separatist faction could have with the highest political leader of the country. The Hurriyat emphasis on "step-by-step approach," its demand for an honourable and durable solution, its appeal to separatist groups to give up violence are some of steps that signal better prospects of peace in the region. Second, three round table conferences were held (first in February 2006 in New Delhi, second in May 2006 in Srinagar and third in April 2007 in New Delhi) to accommodate diverse voices within J&K on a single platform. Third, setting up of five working groups to look into various contentious issues confronting the state is another significant development.[7] The setting of these groups to address various issues related to the state including the prospects of economic development is an important step towards recognizing that peace and development has to go hand in hand.

The above attempts, together with the external dimension of the peace process, have created a historic environment wherein the hopes regarding the possibility of a resolution of the complex problem remain high. The easing of the visa process, exchanges through the bus, train and air services between Srinagar and Muzaffarabad, Lahore and Delhi facilitated ever growing people-to-people interaction. Other developments like Islamabad's sidelining of the radical elements, exchange of prisoners at Wagah, etc. paved the way for peace in the region. The steady decline in violent activities in the state in the recent years reflected peaceful atmosphere in the region. The third important dimension of the ongoing peace

process, besides engagement of India and Pakistan and that of New Delhi and Srinagar, is related to two parts of Kashmir.

The involvement of people of J&K in the peace process gained momentum in the years 2005 and 2006. Besides the bus service between Srinagar and Muzaffarabad, termed “the mother of all confidence building measures,” the year 2005 witnessed the visits of many delegations from both sides across the LOC. The people-to-people interactions have given tremendous boost to optimism regarding the outcome of the ongoing peace process. This can be called a grand achievement with multiple positive implications. First, it provides an opportunity for people from both sides of LOC to know each other and to see the realities on the ground on the other side. These interactions revived old sentiments of belongingness and fraternity among the people from both sides. Second, these talks provided an opportunity to the members of civil society to think independently of their respective governments.

Interactions among the civil rights activists and leaders from both the sides gives the impression that the people of region are fed up with violence and want to live in peace. Justice Abdul Majeed Mallick, former Chief Justice of “Azad” Kashmir High Court, who led a delegation from across LOC to J&K in August 2005, expressed optimism that the current wave of people-to-people interaction would help resolving Kashmir issue as it is the people of the region who can better steer the peace process than the “vested interests” (Across LOC, 2005). Third, people-to-people interactions such as the “heart-to-heart” talks in Jammu and New Delhi in 2005 and 2007 provided the occasion for the leaders and activists of different shades from both sides of LOC to speak their hearts on a single platform. The most successful outcome of the talks was that the participants agreed that violence cannot bring a solution to the vexed issue of Kashmir.

Challenges and Opportunities

The revival of the economy in Kashmir in the current atmosphere of relative peace has gained ground with the realization that peace attempts and development must go together in Kashmir. There is a noticeable shift in India’s policy as the earlier provision of providing central largesse to the state has been transformed into genuine development of the state by launching projects as well providing incentives to private sector to contribute to economic growth. This change in approach is fruitful in two ways. First, it helps address some of the grievances of the people by engaging them in development projects, thereby further contributing to the peace process. Second, it helps reduce the chance of the conflict resurging as poverty and unemployment are, among other factors, considered propellers of violence. Hence, it may prove not only costly but also imprudent to wait for the conflict to be settled fully and then to initiate process of economic development.

The economic revival is an uphill task and is fraught with multiple challenges ranging from renewing the degenerating industries to tapping the new resources; attracting private investment to developing infrastructure. However, the opportunities, especially in the context of economic development, are enormous as the state is not only endowed with rich flora and fauna and scenic beauty, but also it has a past record of having a rich economy in the pre-independence era, partly due to its trade with neighbouring regions like China, Central Asia, and West Asia via the famous Silk route. The following section focuses on the areas that need attention for economic development of the state.

Developing Indigenous Industries

a) Tourism

Tourism constitutes one of the main sources of income for vast sections of the Kashmiri population. Tourist destinations like Sonmarg and Gulmarg are known internationally for winter games such as skiing. Gulmarg is also known as the highest green golf course in the world, and boasts the world's largest cable car lift. The famous Dal Lake in the Kashmir valley needs special mention in this context. Adventure sports in J&K include trekking, mountaineering, winter sports, water sports, golf and fishing. However, most of these tourist attractions remain underdeveloped. Many other tourist attractions in the state remained untapped partly due to the conflict. Like in the Kashmir valley, the regions of Jammu and Ladakh also have lot of tourism potential. Some of the tourist spots in Jammu, which need development, are Patni Top, the Forts of Ramnagar, the temples of Babor and Krimchi, Sudh Mahadev and Mantalai, Shiv Khori, the saint-soldier Banda Bairagi's memorial, as well as the Kishtwar and Bhaderwah hills, all of which can be developed with modern facilities in order to attract wider cross-section of people from different parts of the world.

b) Traditional Art and Handicrafts

Kashmiris are well adept at knitting and weaving. Many people are engaged in making shawls, silk carpets, rugs, embroidered clothes etc. The region is also known for silver-work, papier-mâché work, wood-carving and silk-weaving. The ancient art of stone carving is another area of prominence. Tombstones are a specialty of the state's stone carvers. Many of stone artisans of the area also build houses and mosques with different stones for each season. This is another area in which Kashmir has its own niche and could be used to boost its economy, if managed properly.

c) Agriculture and Related Sectors

Kashmir's economy is highly dependent on agriculture, supporting about 80 per cent of its population. Traditionally, the staple crop of the valley is rice, followed by Indian corn. Wheat, barley, and oats are also grown in the region. Blessed with a temperate climate unlike much of the subcontinent, J&K is suited well to the production of crops like asparagus, artichoke, seakale, broad beans, beetroot, cauliflower and cabbage. The Pampore region, just about nine kilometers from Srinagar, is home to the finest saffron in the world. R. S. Pura tehsil in Jammu district is home to one of the best qualities of rice. The horticulture industry in Kashmir is considered the bulwark of rural economy in the state. Nearly 75 per cent of temperate fruits in India are grown in the state. The cultivated orchards yield fine quality of pears, apples, peaches, cherries, walnut, almond, saffron, apricot, strawberry, plums, etc. The industry earns revenue of over INR 500 million yearly and provides job facilities for the thousands of people directly and indirectly involved in the agricultural sector.

This sector is adversely affected due to lack of marketing strategy and violence-prone image of the state. Considering the growth prospects of this sector, the state government needs to plan for higher and more quality production. The state should shift its agriculture development strategy from food security

mode to that of value addition by growing certain products like high value fruits, vegetables and cash crops like saffron that can give high returns.

Sericulture is the traditional occupation for a large section of the population and around 25 thousand families were engaged in the extraction of silk fiber in 1999-2000. But due to inadequate infrastructural and agricultural inputs the silk industry, which has seen a glorious past, is in decline. As an important activity related to agriculture, fisheries can also strengthen the productive base of agricultural economy, generate self-employment, as well as attract tourists, if fishing festivals or tournaments are organized. Keeping in view the potential of this sector, the 27,781 km of rivers and streams in the state could provide the facility for the farming of over 40 million tons of fish there is a need to promote this industry. There has been a big gap between the demand and supply of fish, and the right strategy cannot only cater to the local demands but also enable the state to export. Some of other areas that could to be explored include floriculture, medicinal and aromatic plants, mushroom production, and apiculture. The recent initiative by the state government under Technology Mission Programme to establish a local floriculture industry is showing some promise.

Animal husbandry with a large livestock in form of cattle, sheep, goats, poultry, also plays a role in the state economy as 0.13 per cent of gross domestic product of the state is contributed by this sector. The production of pashmina shawls, carpets and blankets depend on the livestock and can render handsome economic returns. The huge gap between the demand and supply in terms of meat consumption compels the state to purchase the same from other parts of the country. The state provides a suitable climate for cattle breeding and it should be used sufficiently. J&K produces milk on a very large scale. The milk production increased from .36 million metric tonnes in 1995-96 to .66 million metric tonnes in 2001-02. As the demand for milk and milk products has been increasing at a faster rate, there is vast scope for dairy development.

The modernization of all these sectors can play a vital role in economic reconstruction of the state. Besides providing the professional guidance, there is a need to ensure availability of basic inputs such as seeds, fertilizers, pesticides, storage facilities etc. to develop agriculture and allied sectors. There is also a need to develop an aggressive sector specific marketing strategy and explore new markets.

Industrial Growth

J&K is an industrially backward state. One peculiarity in the case of J&K is that government owns most of the industries. These public sector units have proved to be burdens on the state exchequer. There is a dire need to make a functional policy in terms of efficient management of public sector units and their disinvestment. There are many small-scale industries that export plastic products, textile items, cricket bats and other sports items, walnut and walnut kernels, bitter apricot nuts, foundry fluxes and chemicals, handicraft items etc. to various countries, especially European and Gulf countries. While there is a vast scope to increase the amount of export in these products, there are many other potential areas for industrial development as well.

Potential investment areas include biotechnology, processed food, fruit processing, leather goods, processing of gems and precious stones, honey and other hive products, and watershed development.

The mineral industry is another potential area of growth since the state is rich in bauxite, limestone, sapphire, gypsum, coal, and marble. The forests of the state with vast natural resources too need to be tapped judiciously. Kashmir has a long tradition of wooden furniture making. The forests can also contribute to the growth of herbal industry. Another major area that has yet to attract attention is communication technology in the state. The recently established 121 community information centers having internet facility in the state is miniscule in comparison to the needs and potential of the people. The region being an important tourism destination, the hotel industry is another area with tremendous possibilities of growth. Thus, besides adopting investor friendly industrial policies to modernize the existing industries there is a need to explore and exploit other potential areas of trade. In this growth trajectory the private sector can play an important role.

Wooing Private Investment

The private sector has yet to join the mission of economic reconstruction of the devastated state. An important strategy for economic development of the state would be to engage the private sector, both at national as well as international levels. In order to flag such a policy, the first requirement would be to identify the potential investors, financial institutions, and donors. The next step could be to identify the potential areas of investment, followed by an integrated course of actions to achieve sustainable development.

The region needs attention from the national and international financial institutions as well as the aid agencies. The international financial institutions like World Bank and Asian Development Bank (ADB) can significantly contribute towards the development of the region. In November 2004, the World Bank pledged economic assistance for Kashmir to promote peace in the region with the plea that "economic development along with peace is essential." World Bank promised an aid of \$9 billion for development in Kashmir. Similarly, ADB in 2004 earmarked \$300 million for the state as a loan for a variety of projects. The ADB is currently funding road-connectivity projects that witnessed devastation during the past years of turmoil. In March 2007 the World Bank also cleared INR 4000 million for the improvement of roads in the eight districts of the state under the Pradhan Mantri Gram Sadak Yojana (PMGSY) guidelines. Under the scheme, as many as 100 new road projects were being launched in the state during March 2007. Watershed development is another area where World Bank has taken interest. The power sector too can get a boost by the help of these institutions. Foreign aid agencies like USAID, and development banks, such as the Infrastructure Development Finance Company (IDFC), can also help in the revival of the state economy.

Opening Roads Between Two Kashmirs

The recent opening of roads across the LOC has encouraged the prospects of both development and peace in the state. The opening of Srinagar-Muzaffarbad road in April 2005 followed by Poonch-Rawalakote in June 2006 and ongoing talks to open many other roads like Jammu-Sialkot, Jhanger-Mirpur has vast potential for economic revival. The roads would not only help divided families to meet to each other, but would also provide a boost to trade and tourism. The prospective opening of the

Kargil-Skardu road would merge Gilgit and Baltistan with the cultural heritage of Ladakh and the Tibetan Buddhist region that already attracts thousands of tourists every year. The reopened road is set to turn the world's highest mountain region into an even larger theatre of mountain tourism (Mahapatra, 2006).[8] From the foothills of Mount Everest in Nepal to the Karakoram in Pakistan, the road connection may encourage adventure tourism in the region. The trans-LOC trade through these routes can further bring development to the region as a whole, as these routes are more accessible than some other currently used routes within the state. While fresh fruits, Kashmiri and Basoli shawls, carpets, namdas and gabbas (varieties of Kashmiri carpets), Basoli paintings and cement can be traded from Indian side, cotton suits and rock salt can be traded from Pakistan side. Besides the economic advantage to Kashmir, it would help build trust across people thus further lessening chances of future violence. The Economic Survey 2007-08 has also stressed on the need for opening the roads between the two Kashmirs. It observed that:

"creating intra-Kashmir economic linkages might begin to give Kashmiris a greater sense that peace is possible. Creation of economic institutions that cross the LoC would be a step towards the kind of practical and honorable arrangements that most people believe are essential for a lasting Kashmir settlement" (quoted in Pargal, 2008).

Infrastructure Growth

Infrastructure growth is necessary for the economic revival of the state. The violent conflict has exacted extensive damage to existing infrastructure, especially in the hilly and mountainous regions that constitute major parts of the state. Some of the important sectors of infrastructure that need immediate attention are the following:

a) Power

Having a hydro-electric potential of more than 20,000 MW, the state has so far been able to exploit only 1,478 MW, which makes only 9 per cent of the total power potential of the state. Kashmir is endowed with huge water resources but tapping these resources for the benefit of the economy has not been done adequately. The Indus Water Treaty signed between India and Pakistan in late 1960s has affected prospects of tapping of this resource. Due to the limitations imposed by the treaty the state has not been able to harness the vast water resources for either irrigation or power generation. The region, capable of generating close to 20,000 MW of hydroelectric power, can not only meet its power demand, but can become an exporter of power. Ironically, the state of Kashmir, with huge power potential, has the largest power deficit among the states of India. The power supply is subject to both scheduled as well as unscheduled lengthy power cuts on a daily basis. The state establishment claims the treaty cost the state around INR 60,000 million every year. The state government has to bank more on power imports from the Northern Grid of India and the arrears of which have crossed INR 16,000 million. Thus, there is a demand to scrap the treaty that could give a boost to development activities in the state. Though it may not be practical to scrap the treaty altogether, the current peace process can be used to chart out a strategy in order to enable the state to exploit this natural resource.

b) Connectivity

The difficult terrains of the state coupled with law-and-order problems have contributed to poor connectivity in the region. The rail-road mix of transport in the state is very low. As Jammu city is the railhead for the state, Kashmir valley as well as Ladakh is totally dependent on road transport. The rural road connectivity scheme of Bharat Nirman Programme (BNP), an Indian government scheme, aims at bringing about required changes in infrastructure. Under BNP, INR 40,000 million is earmarked to be spent in 1643 villages in the region. There is further need to build alternative roads in some places to ensure better connectivity. The government is planning to build an alternative road to the existing National Highway connecting the Kashmir and Ladakh regions of the state with rest of the India that remains closed for long periods of the year due to bad weather and landslides. There is also a need to upgrade many of the existing roads from two lanes to four lanes. As far as rail transport is concerned, ongoing rail projects: Hampur–Katra and Qazigund-Baramulla sections of Udhampur-Baramulla need to be given high priority. The state, sparsely populated and scattered as it is, needs more airports and better air connectivity. Remote places like Kupwara, Poonch, Rajouri and Kishtwar need to be connected by air. The state has very low tele-density. This area also needs urgent attention since better connectivity is key to development.

Employment Generation

The revival of indigenous industries, tapping of new areas with the help of private sector, opening of the intra-Kashmir routes, the infrastructural development– all these would not only give a boost to the state economy but would also lead to employment generation. Citing unemployment and lack of infrastructure as main reasons for militancy, Ghulam Nabi Azad, former Chief Minister of the state, has during his tenure till July 2008 stressed many times the need to pay attention to these areas. He was confident that 80 per cent of militancy will go “if we are able to give employment to the youth” (quoted in Bukhari, 2006). In this context, a survey conducted by the British group Market and Opinion Research International (MORI) in the state in March 2002 is noteworthy. According to the survey, 93 per cent of respondents[9] believed that the correct way to bring peace to the region would be through economic development, which can provide more job opportunities and reduce poverty (International Crisis Group, 2002, pp. 19-20).

Conclusion

The present phase in the state, called the “sunrise” period, can be capitalized on to fuel the process of development in the state, with the help of voluntary organizations and international donors. Violence has affected the development of the state, as it discourages private enterprises to invest and creates obstacles in implementation of developmental activities. The ongoing peace process has created a space wherein conflict and development can be co-managed in J&K without jeopardizing the interests of the parties involved, nor those of common people inhabiting the region. Though conflict is yet to be resolved, the peaceful space provided by the recent thaw between India and Pakistan can be used for development.

The region is not only full of natural bounties in terms of flora and fauna and other natural resources, but it is also a repository of human resources. There have been many analyses about conflict and its

negative dimensions. However, the current opportunity to bring peace by means of development in the region needs to be utilized instead of waiting for the conflict to be resolved fully. In the era of globalization when political issues are guided by the economic imperatives, it is necessary to bring the same realization into Kashmir. The conflict has brought innumerable losses for both India and Pakistan but it is the people of the region who suffer the most. The current opportunity must be utilized to better the living standards of the people of this troubled region. Economic development would likely steer the ongoing peace process further and help realize a peaceful solution of the Kashmir issue. It is a three way process: addressing the underdevelopment; involving people in the development process, thus bringing empowerment and help address the issues related to alienation; and using the development process and its fruits as a deterrent against the resurgence of violence.

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Footnotes

[1] The Prime Minister of India, Manmohan Singh outlined the policy of peace through economic reconstruction for Kashmir in the conference on “Global Participation in India’s Economic Development” in New Delhi on January 9, 2007, in which he invited private sector industries to invest in the region.

[2] The paper does not go into details of the conflict and its multiple dimensions as its main argument does not necessitate such a study. The literature on Kashmir conflict is vast. Some of them include (Ganguly, 1997; Lamb, 1992; Mahapatra & Shekhawat, 2007; Puri, 1993; and Schofield, 2004).

[3] The Indian rail stretches up to the Jammu city, situated in the southern part of the state covering only about ninety km. from its southern border. Recently it has been extended up to Udhampur, a nearby town of Jammu. Similarly, the air links are confined to three cities- Jammu, Srinagar and Ladakh. Air transport is expensive and it is unaffordable by the common people.

[4] During the survey in the Poonch district from 23 to 30 April 2007 the authors' witnessed that many public institutions have housed army contingent. For example, the Boys' Higher Secondary School and Lasanna primary health centre in Surankote bloc were housing army officials. The recent move by the government of India in the direction of relocating army especially from schools and health centre is a welcome step to strengthen peace process.

[5] This is one of the central arguments of the theory of Democratic Peace, which holds that democracies are less likely to initiate wars among themselves than other forms of government.

[6] The entire partition line between India and Pakistan in and surrounding Kashmir are divided into three segments: 198km of international border; the 778 km LOC, extending from Akhnoor to NJ 9842 till Siachen Glacier; and then the undefined AGPL, not clearly defined.

[7] During the second round table conference in Srinagar in 24-25 May 2006, Indian Prime Minister announced setting up of five working groups (WGs) to further the dialogue process in the region. While the first WG focuses on CBMs, the second focuses on strengthening relations across LOC, the third one deals with economic development of the state, the fourth WG aims at providing good governance to people and the fifth one aims at strengthening center-state relations.

[8] The authors have made a survey of Kargil-Skardu in Ladakh region in July 2006. Their interactions with local people make it clear that the reopening of the road would be beneficial from both humanitarian and economic perspectives.

[9] The group conducted a poll of 850 people in J&K in 2002 in anticipation of 2002 elections.

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Manufacturing Shame: The Danger of Purity

Pandora Hopkins

War is so unpopular in the United States that only one member of Congress has a child in the service; the draft is only mentioned in Congress by peaceniks making a point; the President ignores military funerals; and realistic photos of warfare are censored by the media. Why aren't all the walkers—presumably most citizens but the satisfied minority—making their voices heard? This is the question that haunted me and led me to study the power of sub-truths to block rational understanding. The three general subliminal truths examined in this article have been used to justify: warfare (Pacification, creative destruction, etc.); ethnocentrism (American Exceptionalism); and discrimination (Bloodlines, pure blood, etc.). In different ways, these over-arching themes convey a necessity for purification, and perhaps that is at least partly the reason they often escape critical examination; purification, like humiliation, occupies a sensitive place in the human psyche.

Anyone can go to Baghdad: only really humiliated men go to Tehran.
--not out there in tradition—yet

I really don't expect to hear this variant of the catch-phrase that was making the rounds in 2003 (Anyone can go to Baghdad: only real men go to Tehran—[or Damascus—or...]). However, some of us have been reminded lately of a statement made by Assistant Secretary of Defense John McNaughton some 40 years ago: "The present objective in Vietnam is to avoid humiliation" (quoted in Schell 1975: 10). More deeply buried in the Pentagon Papers is similar concern about the success of carpet-bombing rural South Vietnamese villages. Chosen as an easy (and safe) show-and-tell to impress the global audience, William Bundy noted only one problem: "We look silly and arouse criticism if these [B-52 raids] do not show significant results" (Gravel 1971: 612).

PART I: HUMILIATION IN SUBLIMINAL TRUTHS

U.S. leaders who believe that perpetual war is the natural state of nation states have been puzzled for some 60 years by something called nuclear paralysis. Unwilling, or unable, to adhere to common wisdom ("Well, we can't wage war anymore."), they constantly fall back into what Jonathan Schell once called (during the Vietnam era) a "time of illusion" (Schell 1975). As avoidance of humiliation became a national obsession, conquering small non-nuclear countries has functioned as a kind of "honor killing" for the national family. Michael Ledeen, said to have been Karl Rove's adviser on international affairs, described the policy graphically at a public lecture back in 1992. He explained: Every ten years or so the United States needs to pick up some crappy little country and throw it against the wall, just to show the world we mean business (Kiernan 2005: 389). Of course, the chosen method for avoiding humiliation has often been to inflict it on someone else. Therefore, according to the Boston Globe (Dec. 11, 2007), recent evidence that Iran had no nuclear bomb program was not met with joy by Bush's national security team and elicited "a pretty vivid" verbal exchange. The journalist comments that the determination to bomb Iran has a larger purpose than simply to destroy Iran's bomb-making capacity; it

fulfills, “the need to humiliate, would serve a metaphysical end.” The strategy depends upon theatrical display, public perception (shock and awe?), and when that doesn’t work—well, there’s always the “limited nuclear option” (real or threatened). So far, cooler heads have prevailed, and the U.S. military continue to cover their shame by moving on, somewhat in the manner of diners attending Lewis Carroll’s “mad teaparty” (a perpetual feast whose participants simply rotated around the table, leaving dirty dishes behind).

In the United States today, humiliation is in. Not only has it emerged recently as an integral part of prisoner “interrogation tactics” (i.e., torture), but it has slithered, almost unobserved, into the U.S. legal system which now includes shaming punishments reminiscent of colonial America (Nussbaum 2004; Kahan 1996, 2006).[i] This study, however, is about humiliation as an agent of social control to counteract a trend James Q. Wilson has derided as the evaporation of shame and stigma. He complains: “Our society has managed to stigmatize stigma....” (2002).

Stigmatizing stigma--

Wilson is largely correct. Perhaps no other single factor so distinctively characterizes the lasting influence of the 1960s-1970s counterculture as the rejection of unwanted stereotypes, the stuff from which stigma is usually made. Cutting across all lines of personal identity, the rapid changes in gender mores have been striking: women refusing to be shamed into marriages they didn’t intend, men refusing to be shamed into marching off to wars they didn’t believe in. bell hooks remembers when “...large numbers of young men in this nation rebelled against patriarchy to oppose the war in Vietnam....” They had to endure ridicule, she points out, for their willingness to challenge accepted notions of patriotism and manliness, intimate feelings normally kept in check by a shaming process (hooks 1996: 71, 146). A large segment of men and women have continued to walk in this direction; they are why the historian Leo Braudy concluded that the only positive result from “the bloodiest century in history” may have been the “visible changes in the definition of being human, particularly in extending it to all races, and to women as well as men” (Braudy 2005; 530). The Swedish sociologist Goran Therborn, in his global analysis of the relationship between sex and power, observes:

Patriarchy, the law of the father, was the big loser of the twentieth century. Probably no other institution has been forced to retreat as much (Therborn 2004: 73).

The egalitarian trend is strong, something that augurs well for global and domestic understanding.

But this societal transformation has not met with the approval of everyone. On the contrary, it is a circumstance that continues to infuriate the warrior mind, and advocates of an authoritarian state have been trying to put the genie back into the bottle ever since. Right-wing “think tanks” have proliferated since the 1970s (a way to avoid standard methods of accreditation for those who can afford it); let’s listen to some of their voices:

- The Demoralization of Society (Gertrude Himmelfarb, 1995)
- Slouching toward Gomorrah (Robert Bork, 1997)
- The Great Disruption (Francis Fukuyama, 2000)

- The Broken Hearth (William J. Bennett, 2001)
- The Death of the West (Patrick Buchanan, 2002)
- The Marketing of Evil (David Kupelian, 2005)
- Godless: The Church of Liberalism (Ann Coulter, 2006)
- State of Emergency....(Buchanan, 2006)

Demoralization--slouching--disruption—broken--death---evil—godless—emergency:

These messages are book titles, speaking openly from the covers of publications. Angry words all--and applicable, one might think, to U.S. economic injustice, the risk of nuclear warfare, the devastation of the AIDS pandemic, or the trashing of natural resources on this planet. But no, they all refer to changing sexual mores held responsible for a litany of societal ills.

These authors renounce the uninhibited (i.e., non-humiliating) sexual attitudes that have recently taken root in the U.S. as in Europe. They vow to: "bring back the authority of marriage" (Wilson 2002), explain why "we must restigmatize illegitimacy" (Lamm 1997), recommend the use of "illegitimate [as] more accurate than out of wedlock" (Herrnstein and Murray 1994), and believe vasectomy and norplant should be considered for punishing "illegitimate" sexual activity (Buckley 1995). Humiliating words have been resurrected--chastity, virginity, abstinence, bastard, slut, loose—as self-appointed moral guardians blame sexual activity unsanctioned by church or state for virtually all problems of contemporary civilization. Most especially, feminism is blamed, and David Kupelian's book, *The Marketing of Evil*, drives the point home with an evocative illustration on its cover: a seductive woman's hand holding (can you guess?) an apple.

Two sides of the same coin--

What is particularly striking about this right-wing critique is the relating of matters domestic to matters international. The old feminist slogan of the 1970s has become the core of right-wing strategy; for suddenly, the personal has become political. However, it is not a new idea to political scientists. Not only women, but also men, suffer from patriarchy, writes John Hoffman, because "...you cannot write about the relations of women and men without being concerned about power, privilege, hierarchy, violence and the state" (2001:4). In his discussion of "framing," George Lakoff shows how the "Strict Father Model" of the family implies a host of authoritarian beliefs on international and domestic issues (Lakoff 2004: 6ff). More than a half century ago, Wilhelm Reich tried to make sense of Hitler's ascendancy by embarking on a detailed analysis of fascism. He concluded that the patriarchal family is "political reaction's germ cell," essential to the authoritarian system which must defend it as the basis for the "state, culture and civilization" (1942/1972:104f). Reich pointed out that the wife's role in the traditional family system requires submission in two ways. In addition to economic dependency, "The wife must not figure as a sexual being but solely as a child-bearer." Reich explains: "Sexually-awakened women, affirmed and recognized as such, would mean the complete collapse of the authoritarian ideology" (Reich 1942/1972:105; emphasis in the original). That seems to be precisely what has so terrified the imperialist-minded today.

Opportunities and subliminal-truth--

Back in 2000, both the use of tactical nuclear weapons and empire were clearly placed on the table by two publications—an anthology of essays and a formal monograph—that together functioned as a blueprint by and for the Plan for a New American Century (PNAC), published in anticipation of a sympathetic administration (Kagan & Kristo; Donnelly et al).[ii]

Their key word is in the subtitle of the anthology, *Present Dangers: Crisis and Opportunity in American Foreign Policy*. No, it's not "danger" or even "crisis": it is opportunity. Claiming that the end of the Cold War had provided the opportunity for (No, not the peace dividend, stupid!): "global hegemony," the editors described their goal of U.S. world conquest as *Pax Americana*, their version of *Pax Britannica*, its version of *Pax Romana*—wall-to-wall carpeting, from the Wall of Hadrian to the one being built on the Mexican border. Who says these elite folk don't have folklore?

The triumphant expectation of a New Rome had a "remarkably short shelf life," wrote Tom Engelhardt in the preface to his updated edition of *The End of Victory Culture* (Sept., 2007): "...by early 2004, comparisons of United States to Rome and a prospective *Pax Americana* to the *Pax Romana* had vanished." Yes, the formal predictions and proclamations with braggadocio seem to have disappeared, but not their residue in people's minds; indeed, whether beneficial or not, images of this kind have a half-life roughly equal to that of ziplock bags, as well as a generative ability to elicit a host of other associations.

These images are examples of what I shall call subliminal truths—sub-truths or STs. They include what the folklorist Alan Dundes named "elements of world view" or "folk ideas," and share the ability to cross media boundaries; but they are not limited by authenticity and include fallacies and fabrications (Dundes 1972:93).[iii] They can be brought to mind by the way we frame ideas, and George Lakoff's efficacious test (Don't think of an elephant) may help to uncover them (Lakoff 2004: xvff). However, sub-truths can, but don't necessarily have to, support our conscious frame, and they don't necessarily disappear when we reframe our thoughts; indeed, they are able to subvert our intentions subliminally. At a time when an authoritarian government casually admits its consideration of "the nuclear option," when elected judges believe torture is morally defensible, when the President takes advantage of "signing statements" to trash the Constitution, and when the global environment is in crisis stage, why are only a courageous few raising their voices in protest? Where are all the progressives whose former strength can be gauged by the strength of the backlash against them? There are indications that many of the hesitant are still following a progressive path. Is it possible that their confidence is blocked by "truths" so obvious that it has never been considered necessary to examine them?

It is this last possibility that concerns me: I am unabashedly preaching to the choir—but only to those choristers who know but have not yet raised their voices—are walking but not talking, so to speak. Thus, I consider both the term, *Pax Americana*, and all the associations it generates to be sub-truths. To reject empire, for example, is easy. To reject *Pax Americana* is also not a problem on the intellectual level—but perhaps not unencumbered with doubts on the complex subliminal one.

In the United States, there exists today an extraordinary disjunction between the way most citizens are living their lives and the policies of their elected representatives. According to a NBC/Wall Street Journal

National poll (June 8, 2007), only 19% of U.S. citizens think the country is headed in the right direction. While the President's rating is at an all-time low, the latest CNN/ORC national survey (June 29, 2007) found dissatisfaction with the performance of the present Congress as well (49% dissatisfied, 42% satisfied). Nonetheless, respondents favored having a Democrat-controlled Congress over a Republican one (57% to 31%). Clearly, these facts are significant; they indicate extreme cynicism toward the democratic process as it functions in the country, as well as strong disapproval of present Republican leadership. The Republican party is in disarray; some of the prime movers of Iraq war policy have recanted, some have left government service, some have challenged the direction the party has taken, and some have changed their allegiance.[iv] The Democratic Congress, instead of profiting from this circumstance, has not been able to agree on a strategy to implement the will of their constituents, few of whom are responding with conviction.

War is so unpopular that only one member of Congress has a child in the service; the draft is only mentioned in Congress by peaceniks making a point; the President ignores military funerals; and realistic photos of warfare are censored by the media. Why aren't all the walkers—presumably most citizens but the satisfied 19 percent—making their voices heard? This is the question that haunted me and led me to study the power of sub-truths to block rational understanding.

Parts II of this article consists of three sub-truths that are powerful in generating other similar concepts. They are not put forth as the only, the best or the most representative of their kind, nor can I claim to have covered all the associations they might conjure up; virtually each one, of course, could easily be accorded a full volume of text. Thus the information presented under each rubric is not systemic but may be regarded as a sampling of the kind of facts one must gather in order to understand where the mind might be led. At least so far as these three examples are concerned, however, there is one clear message: a strong association with the principle of purification, a periodic cleansing of dirt or disorder (what some religious people call "evil."). While most clearly evident in such terms as creative destruction and surgical strike, we shall find this idea an active component of the other STs described here—from pacification to American exceptionalism, from bloodline to virginity. The possibilities of using a strategy of humiliation to inflame unconscious assumptions of purification are, of course, obvious.

PART II A: PACIFICATION

Creative destruction, surgical strike, ethnic cleansing, total war-----

All of the above are recent improvisations on what has been called "the art of war" at least since the days of Sun Tzu twenty-five hundred years ago. They are also sub-truths that convey individually different associations (some emphasizing growth and progress while others lean more toward order and restoration). At the same time, they tend to imply normalcy: warfare may be uncomfortable, perhaps, but necessary, like cleaning your house. Of course, this kind of house-cleaning involves sweeping away, not dust, but groups of people—categories of individuals that disgust you—or simply are on that other team. "Long after purging blood had faded away as a purging practice, it still seemed right for the body politic" (Brady 374).

The purging function of war can easily reverberate under the level of consciousness, even to a peace-worker—perhaps bringing up a more humble concept as well: If it hurts [or tastes bad], it must be good for you; it is the kind of sub-truth Dundes called a folk-idea (Dundes 1972: 98). All of these terms share the concepts of domination, order, progress, definition—attributes traditionally associated with masculinity.

There you go with that fucking hand again. You look like a fucking pansy!

--G.H.W. Bush being groomed as a presidential nominee (quoted in Ducat 2004:84)

Like Theodore Roosevelt long before him, Bush Sr., in 1988, had to work hard to manufacture the manliness that was expected of presidential aspirants; he was never as successful as his son, who had the advantage of spending summer vacations on his father's Texas "ranch." Teddy, who, as a 23-year-old New York State Assemblyman, had been taunted by such humiliating names as "punkin-lily" and "weakling," managed the transformation successfully; he also bought a ranch (Ducat 2004: 78). The first Roosevelt was held up as a model by Kagan and Kristol in their introduction to *Present Dangers*. Roosevelt, they wrote, had known how to toughen up an America grown "effete" through too much peace and prosperity. In their view, the 1990s were a similarly "squandered decade" during which Americans had been "lavishing the gifts of an illusory 'peace dividend' upon themselves and frittering away the opportunity to strengthen and extend a natural order uniquely favorable to the United States." The PNAC spokespersons admire Roosevelt's "contempt" for global peace-workers and refer to the "burden" they believe the U.S. is fated to carry, a not-so-veiled allusion to their hero's "white man's burden" (Kagan 2000).

Creative destruction is a concept with a pedigree especially associated with neocon Michael Ledeen who does not hide his disdain for other cultures (see above, p.2). Ledeen's much-quoted passage from *The War Against the Terror Masters* (2002) begins: "Creative destruction is our middle name." He did not originate the term; it had been used, a half century before, in the field of economics (Schumpeter 1975: 194, 82-85) and later in political science by Andrew Heywood who wrote "...despite an undoubted inclination toward nihilism, war and death, fascism saw itself as a creative force, a means of constructing a new civilization through "creative destruction" (1992/2003). Ledeen's own interest in Italian fascism is well documented by early publications, including his doctoral dissertation (Laughland 2002).

Surgical Strike: Jane's Information Group website, the global information source for military technology, asserts that the magical precision generally accorded this concept is "a myth" (their words). Jane's does not mention its metaphoric value for generating sub-truths.

Ethnic cleansing: This translation of the Serbo-Croatian *etničko èišæenje*, is a new way of saying genocide: the deliberate creation of a genetically "pure" society through elimination or displacement of a particular (or all but one) ethnic group. It was widely used by U.S. media in the early 1990s to describe ethnic conflagrations during the break-up of the Federal Republic of Yugoslavia, but the concept is not new and dates back to at least the Second World War. A rabidly racist, anti-semitic, anti-hispanic computer game by this name was put on the market by Resistance Records in 2002—to be followed by sequels and another entire line of equally racist games. Thus the combination of cleansing and warfare

can come early to young minds. Combined with such concepts as “creative destruction” and “surgical strike,” it can reinforce the idea of progress through warfare against “inferior races.”

Total War: The year 2000, we all recall, marked the shift to a radical U.S. administration. Video game buffs may also remember the year for a new series called Total War. The first game, Shogun: Total War was soon followed by Medieval: Total War; then Rome: Total War, Medieval II: Total War, and Spartan Total Warrior.

If we just let our vision of the world go forth, and we embrace it entirely and we don't try to piece together clever diplomacy, but just wage a total war...our children will sing songs about us years from now (Richard Perle quoted in Pilger 2002: 9).

There was no greater influence on the present Bush's Middle East policy than the shadowy Richard Perle whose advocacy for military involvement goes back a quarter century to when he was President Reagan's Assistant Secretary of Defense. In 2004, his 17-year membership on the Defense Policy Board Advisory Committee (1997-2004) was finally terminated over conflict of interest problems related to his international military investments: Perle's precarious balancing act had long given him the kind of swashbuckling mystique of the anti-hero, an image that once earned him the title, Prince of Darkness. Today, he sings a different tune: "...if I had been Delphic...I think now I would have said, No, let's consider other strategies." (Rose 2006). Whether his children will sing his epic song is uncertain.

The term total war is not a random choice of words: there are echoes from the past, especially from Prussian military history. The term was famously analyzed by the Prussian World War I general Erich Ludendorff in his book, *Der totale Krieg* (pub. 1935). The total war concept reflected novel circumstances--both technological and sociological--that had manifested themselves by the turn of the twentieth century when war waging required an extension of venue beyond the battle-field; indeed, the safety zone had disappeared as weapons took to the air; women (especially in the second world war) manned war plants; and the location of factories made many parts of residential areas military targets (see Chickering 2005).

Some of the ramifications are all too familiar today. In this scenario, “everyone is a combatant and anyone without a uniform may be suspect until proven loyal” (Braudy 461). Telling misleading tales becomes an essential part of war strategy, as Joseph Goebbels knew when he became Hitler's first minister of propaganda. Trying to revitalize loyal followers after Stalingrad, Goebbels entreated his loyal followers: "The total war effort has become a matter of the entire German people." Despite relegation of women to *kinder, (kuche, und kirche)*, he used humiliation to shame housewives into exchanging the home for the war plant or to "rethink household help" to free their maids for the purpose. Otherwise, "people will despise you" (Goebbels 1944/1998). As the behavior of all citizens concerns the government, contemporary total warriors demand control, not only of military operations, but also the media, library, campus and bedroom. Those disloyal to the team should feel shame. “Either you are with us, or you are with the terrorists.”

Crusade: a religious interpretation of pacification--

"This crusade, this war on terrorism..." After 9/11, James Carroll, reacted with horror to President Bush's image of a holy war that justifies: "... risks of world-historic proportioned disaster, since the ultimate outcome of such a conflict is to be measured not by actual consequences on this earth but by the earth-transcending will of God." Like Jonathan Schell, Carroll finds warfare today a dangerous illusion: "Our war on terrorism, before it is anything else, is thus an imagined conflict, taking place primarily in a mythic realm beyond history" (2004:8).

Why then, was there no general outcry amongst the presumably large number of U.S. citizens who understood the danger of evoking such a shameful event almost on its millennial anniversary? We can easily imagine that many experienced a yearning on some level for purification, especially those most afflicted with American exceptionalism. As the newscasters chanted their mantra, "But it can't happen here!" Pat Robertson and Jerry Falwell took advantage of the opportunity to humiliate their least favorite citizens: Yes, it can happen in New York City—to feminists, gays, members of the ACLU and People for the American Way.

PART II B: AMERICAN EXCEPTIONALISM

How We Learned to Stop Worrying and Love the Pax Americana
--Paul Wolfowitz

The title of Paul Wolfowitz's contribution to *Present Dangers* (Kagan & Kristol 2000) parodies that of the Kubrick-Sellers film: *Dr. Strangelove, Or How I Learned to Stop Worrying and Love the Bomb*. According to the political scientist Anne Norton, the title promotes the acceptance of nuclear warfare in the kind of coded message Leo Strauss believed ancient Greek philosophers devised to communicate with one another (2004: 192). Perhaps it was Wolfowitz's bow to two University of Chicago professors, not only Strauss but also nuclear-war researcher Albert Wohlstetter whose RAND connection headed Wolfowitz toward government service.

The preponderance of "arms and the man" in pagan Rome explains why the Romans were less in need of "others" for their defense... (Strauss 1958/1978:205f).

The influence of Leo Strauss's ideas on the present administration through his students (and students of students) has been well documented (Drury 1999, 1988/2005, and 2005). Strauss's main themes—especially war as the norm to maintain an orderly society, and rule by the few who manipulate (organize) the masses through "noble" lies (see Schmitt and Shulsky 1999: 410) including the exploitation of religion and the refusal to negotiate with "others"—have provided credibility for contemporary doctrines .

Especially relevant to the inhibiting capabilities we have posited for subliminal messages is Nicolas Xenos's belief that Strauss's most troubling influence is on discourse at large. Xenos speaks of a "war of images" and points to examples of self-described liberals who promote the use of the word "tyranny" or approve of teaching "a new kind of patriotism" or join in the attack on campus liberals: "A fearful liberalism and a political and punditry elite have been fertile ground for Straussian seeding" (Xenos 2004).

To be autonomous, militarily strong enough not to need “others”: that, in short, describes U.S. international policy today. The journalist/historian William Pfaff recently pointed out that the U.S. justifies its aggressive military tactics, from preemptive war to torture “by making the claim that it possesses an exceptional status among nations...” (Pfaff 1970). Most U.S. citizens, in one way or another, have absorbed the founding narrative—the “discovery” of a “new world” and “chosen people” who, tested by a hazardous crossing, tamed the wilderness by expanding the size and power of the country, from east to west, frontier to frontier. Rationalized as Manifest Destiny, its main subliminal message is the identification of progress with growth, acquisition, materialism and associated sub-truths, including racism and determinism. While the concept is not unique to this country, it seems to have become a main feature of U.S. world view. Alan Dundes has identified it as a nation-wide “folk idea,” and points to the wide currency of such common expressions as “the sky’s the limit” and “there’s (plenty) more where that came from.” He names this “the principle of unlimited good” (Dundes 1972: 96ff). It is probably significant that the notion of progress grafted onto Darwinian evolutionary theory by the Englishman Herbert Spenser (who invented the term “survival of the fittest”) made the theory more acceptable on the American side of the ocean than on his own (Hofstadter 1944/55: 39).

From settlement days to the present, the Roman analogy has proven to be wonderfully malleable; it can be used as a metaphor for pagan or Christian, triumph or failure, republic or empire. While the imperial model is exhilarating to some, it has become a grim cautionary fable to others (Murphy 2007). The prescient historian Chalmers Johnson, who published *Blowback* the year before the World Trade Center was attacked, warned: “Roman imperial sorrows mounted up over hundreds of years. Ours are likely to arrive with the speed of FedEx.” Iraq became the 14th government to be overthrown by the United States in a 110-year span, something no “nation in modern history has done ... so often, in so many places so far from its own shores”; the end of U.S. imperialism may be headed for speed-up, too (Kinzer 2006).

Tom Engelhardt describes the initial U.S. reaction to the collapse of the Soviet Union as “the kind of befuddlement and paralysis one would usually have associated with loss.” In stark contrast, after the 9/11 attacks, he noted that the same officials came to life with startling speed and “... spooked a traumatized nation into a series of wars that were to make the United States the planet’s New Rome.... “In the process, they reintroduced the old American tradition of triumphalism (“victory culture”), and, especially relevant to our theme, brought back “much of its language and many of its images” from the early glory days of Vietnam (Engelhardt 1995/2006). By 2006, “Victory Culture” had disappeared, along with references to the New Rome.

As Jonathan Schell points out, the U.S. “could not be and cannot now be a new Rome, much less greater than Rome because it cannot do what Rome did.” Once again Schell points to the illusory nature of warfare in a nuclear age: “It cannot, in a post-imperial age, conquer other countries and absorb them into a great empire (Schell 2006).

Only by appreciating the depth of the subliminal truths associated with the acquisitive definition of progress can we begin to understand the extent of the wrath against a different kind of progress that

came into prominence in the 1960s and some Americans continue to champion. Let's go back in time to the days when these new ideas began to bear fruit.

Challenging American Exceptionality--

History--the founding--chosen people-multiculturalism—feminism--

South Africa had no history, y'know, until we came there; after all, they had no written document—
South African professor

It was sometime in the early 1960s, and the visiting professor from South Africa was chatting during a reception held in his honor at a Connecticut college. He was expressing the accepted view of the era—that time itself ceases to exist without written documentation. As I wrote later, “Much as certain European philosophers ‘bracketed’ the question of existence, social scientists, reacting against unproductive searches for authenticity or ultimate origins, have set aside the historical perspective in their areas of research” (Hopkins 1986: 35). But there was beginning to be a break-through: “The problem now is to explode the concept of history by the anthropological experience of culture....The heretofore histories of remote islands deserve a place alongside the self-contemplation of the European past or the history of ‘civilizations’...” (Sahlins 1983: 534). At a time when historians and social scientists had become painfully aware of cultural insularity, a crosscultural comprehension of history was beginning to evolve that depended upon a deeper and richer understanding of the transmission process itself: “Suddenly, there are all kinds of new things to consider” (Sahlins 534). He referred to fruit born from novel approaches to scholarship derived from the increasingly multicultural character of the campuses during the 1960s and 1970s; and Lawrence Levine similarly enthused that the new heterogeneity on campus produced “...a flowering of ideas and scholarly innovation unmatched in history” (Levine 1996:28).

Healthy nation-building myths [vs] Dangerous quests for the complicated truth--
--Richard Bernstein quoted in Levine 1996: 19f).

Not everyone was overjoyed. Indeed, the new ideas clashed with the U.S. founding myth. The New York Times columnist Richard Bernstein decried educators' efforts to “demystify” Columbus, “our William the Conqueror, our Joan of Arc, our Alexander Nevsky,” in an attempt to “replace healthy nation-building myths with dangerous quests for the complicated truth” (quoted in Levine 1996: 19f). Allan Bloom wrote: “Cultural relativism succeeds in destroying the West’s universal or intellectually imperialistic claims, leaving it to be just another culture....The United States is one of the highest and most extreme achievements of the rational quest for the good life.....What makes its political structure possible is the use of the rational principles of natural right to found a people...” (Bloom 1987: 39).

Bloom’s best-seller, *The Closing of the American Mind*, was one of a series of publications, from the Reagan years to the present, to chant a constant litany of reaction; handsomely subsidized by right-wing foundations, they were usually given major review space in prominent periodicals. Hot off the vanity press of the elite, these texts glowingly presented the case for resurrecting rigid moral codes, canons, family/societal/ national hierarchies—all from a “Western” perspective (as though the hemisphere—or

the country—had ever consisted of a single culture). They complained that multiculturalism reduces “Western culture” to an unexceptional state, only one amongst many cultures in the world.

The turbulence of the 1960s and 1970s brought a wide diversity of ethnicities and both genders to most campuses, largely accomplished by changing admissions criteria from privilege to merit. But it produced more than a diversity of students; they brought with them a broader range of different kinds of interests and knowledge and the self-confidence to promote these things as worthy of serious study. It interfered with the style of those who demanded complete professorial deference. Paul Wolfowitz, as a Cornell undergraduate, was at least as much influenced by Allan Bloom as later at Chicago by Leo Strauss and the nuclear war theorist Alan Wohlstetter. At Cornell, Wolfowitz was one of Bloom's "blossoms," as he called his cultish circle of male students who lived in the college he administered as Head Master. Leo Strauss called his circle of favored students "puppies" and apparently did nothing to stop the formation of what came to be called “Straussian truth squads,” bands of students who would interrupt classes to interrogate non-Straussian professors (Norton 2004: 58f and 44f). Today, the organization, Campus Watch, is a successor.

For professors who expected this kind of reverence, the new diversity was not welcome. Allan Bloom yearned for the days when “A significant number of students used to arrive at the university physically and spiritually virginal...” and complained that Harvard, Yale and Princeton were no longer “...the last resorts of aristocratic sentiment within the democracy” (89). For some of us, however, it was an exciting time to be involved. In 1965, R. Inslee Clark was brought to Yale University as director of undergraduate admissions. He instituted a more democratic policy, something accomplished through slashing the number of private school students from 50% to 38% of the Freshman class, offering more scholarship money and making intellectual merit a higher criterion than family ties (Lever and Schwartz 1971: 23ff).

I was teaching at Yale in 1968 during “Coeducation Week,” a demonstration by male students determined to open the doors to women, and I remember a sense of exhilaration when the administration responded favorably. Allan Bloom would not have approved of my assignment at the university: to structure a program in world music, i.e., to enlarge the scope of musical traditions taught beyond central European elite music. During the spring semester of 1970, a student strike that brought the entire university to a halt in support of Bobby Seale and the other Black Panthers who were being tried in a New Haven court. In response to student activism, however, the administration retracted its liberal admissions policies, retreating to privilege over merit. Messages in our faculty mailboxes announced new rules to attract “more alumnae children”: lowering the required grade point average and awarding fewer scholarships would guarantee “safer students,” so we were informed.

The diverging societal views on campus were, in miniature, a harbinger of what we famously have come to know as a “culture war” in the United States (see Hunter 1992).

The Humiliated unexceptional--:

“I am male, white, Protestant and live in an upscale suburb. What have I got to contribute?”

It was the 1970s: The anthropologist speaking these words had created a highly influential multicultural program; yet he admitted to feelings of guilt. During the intervening years --as more and more attention has been given to the accomplishments of "others"-- some of his less thoughtful brothers have shown scant interest in meditating on the problem. Their rhetoric often seems to display a kind of defiant hubris--of great danger because, as Donald C. Klein has pointed out, humiliation has the tendency to initiate a cycle: "When it comes to humiliation, 'evil begets evil'" (Klein 2006: 66). German citizens, smarting from resentment against World War I economic reprisals, were vulnerable to political mind-manipulation, quite ready to believe that their misery was due, not to practical difficulties, but to victimization for not being permitted to occupy the superior positions to which they felt entitled. Evelin Lindner concludes that Hitler's unquestioning followers were enticed by a modern-day pied piper "... not as willing executioners but as willing partners in seduction" (2006: 81; emphasis in original; also see Klein 2006: 89ff). However, most German citizens, accustomed to a humble position in an hierarchical society, went about their daily routine unconcerned about the national humiliation inflicted upon them by the Treaty of Versailles---until Hitler "explained" the situation to them (2006:81).

The real economic problems faced recently by many average American citizens have made them susceptible to "explanations." In the official U.S. narrative, of course, the "specter of Vietnam" (not the outsourcing of jobs or nonexistence of health care) is the preferred Versaille shame for victimization. Thus, Americans were expected to feel proud at the end of the first Gulf War because:

By God, we've kicked the Vietnam syndrome once and for all!
--George H. W. Bush speaking to a group of legislators

The meaning of Vietnam syndrome has been turned upside down. Originally used in reference to a pathological condition (Vietnam vets unable--Lady-Macbeth-like--to wash away guilt and anguish), it emerged from a Nixon-era laundering process as a dysfunctional inability to "give war a chance" (see O'Rourke 1992/1993)—another upside-down slogan that has turned John Lennon's plaintive song into a mantra for the carnage that purifies. Thus, incessant rhetoric (aided and abetted by revisionist films as well as pop songs and video games) has created a new kind of exceptionality for the United States, a U.S.-as-victim legend, its citizens supposedly filled with shame for a nation that had justified Nixon's worst fears and become a "helpless, pitiful giant."

When news broke that humiliation was being used on detainees in Abu Ghraib, there was a sense of revulsion among those who had believed the war "would redeem America": And most of all, we'd be welcomed as the Good Guys, putting to rest the shame of Vietnam.

Nathna Newman, the director of Agenda For Justice complains: "...Suddenly we are back in Vietnam, ashamed of our soldiers, ashamed of our political leaders who have put those soldiers in such terrible places that they'd do such terrible things" (NathanNewman.org: 20). As was the case in Nazi Germany, the seductive fantasies of exceptionality resonate with those citizens fighting the reality of economic hardship:

As a white male, I feel part of a group that has been singled out and victimized without cause.
-- National Coalition of Free Men

Over the past several decades, a new victim has emerged: White men, once unmarked in the linguistic sense, obtained a distinctive characteristic—that of being shunted aside for being privileged. Gradually, the distinction of victimhood has created a feeling of identity and a new discipline, whiteness studies.

The author of *Invisible Victims: White Males and the Crisis of Affirmative Action* blamed a Republican president, Nixon, for extending affirmative action and thus “crippling the careers of white males” (Lynch 1989). More recently, the Democratic President Clinton was called a hypocrite for expressing sympathy for victims of his own policies (Digbe 2003). In 2003, Donahue devoted a week of TV time to “Angry White Men”. The most powerful religion in the country convened a two-day conference in Washington called “War on Christians and the Values Voters of 2006,” the first day of which was devoted to “persecution of Christians in the U.S. and Canada” (Cooperman 2006: A12). Some thrive on humiliation, actually provoking and perpetuating acts of humiliation to avenge the humiliation they have—or fancy they have--suffered. “War and genocide may result when such personalities gain power and tap into the reservoir of frustration and humiliation among potential followers” (Lindner 2006; 140; 127ff).

Victimhood, is a kind of exceptionality; it permits one to stand out from the crowd, perhaps even to extend one’s prominence beyond one’s mortal lifespan. Yearning for notoriety not infrequently makes innocents claim guilt, as a frustrated criminal attorney recently testified. She was explaining the actions of John Mark Karr, the man who claimed to be the killer of JonBenet Ramsey. A friend of Karr explained: “He obsesses. He wanted to be a rock star one time. He’s a dreamer. He’s the kind of guy who wants to be famous” (Lacayo 2006; Sarche-a 2006 and Sarche-b 2006)

She-ocracy, feminazis, the Latino population breeds like rabbits, left-wing pinko vermin... (Savage Nation)

Perhaps Michael A. Weiner (popularly known as “Savage”) is the ultimate example of victim claiming; this king of airwaves bigotry who draws five million listeners on 300 radio stations, ascribes to affirmative action his failure to obtain a permanent academic position: For here I was, a “manchild in the promised land,” denied my birthright for matters of race. Mr. Weiner holds a Ph.D.; interestingly, he chose “birthright” rather than certification for his argument.

Humiliation, especially the fear of it, is strong medicine; accepting humiliation—internalization of it—makes one ashamed of oneself. The breach of obedience to any recognized authority can put someone in danger of humiliation, producing a fear so strong that many will act against conscience to avoid it. Clearly, the U.S. leadership today feels humiliated—and not just because of a past (and present) inglorious war effort but also because it has seen its “rightful” dominant position threatened by rapid social change during the last half century.

PART II C: BLOOD

--Bloodlines & biobabble—virginity—the unfit 10%--the absent mother—the undeserving poor

...this idea of America as a creedal nation bound together not by “blood or birth or soil” but by “ideals” that must be taught and learned.... Demonstrably, this is false. (Buchanan 2006: 145f).

A people’s cultural level does not at any time... provide a standard for measuring the quality of the state in which it lives.... there is only one holiest human right... to wit: to see to it that the blood is preserved pure.....(Hitler 1925/71: 402)

Racism, of the Nazi, full-blooded type, is alive and well in 21st century U.S.A. Buchanan, like Hitler, considers true citizenship a matter of “blood,” not “creedal ideals” like equality or democracy that an immigrant can learn. Just as Adolf Hitler blamed open national boundaries for “poisonings of the blood” of his Master Race (Hitler 1925/71:396), Buchanan today promotes the construction of a 2,000 mile fence on the Mexican border “defining, sealing, and securing it for ever” (254) against an “invasion of...immigrants of another kind” (i.e., Mexicans) who are now on the point of causing “the death of the West” (Buchanan 2006: 270).

Buchanan’s xenophobic harangue was fueled by the U.N.’s revised assessment of global population growth—a forecast of eventual depopulation that agrees with the long-range demographic trend predicted by Ben Wattenberg 20 years ago in *Birth Dearth* (1987). The paleoconservative, isolationist Buchanan and the neoconservative Wattenberg hold opposing views on U.S. imperialism, and Wattenberg criticizes those who would put an end to immigration--indeed favoring the entrance of a limited number of Mexican immigrants. However, the differences are more apparent than real: the United States, which Wattenberg calls “an exemplar nation,” is destined to lead the world; he explains that an “exemplar nation” needs a robust military—and praises the past record of Mexican foot soldiers (Wattenberg 2004).

Neither agree with environmentalists and social egalitarians who have been pleasantly surprised by the prospect of an eventually smaller planet (see Seager 2004). Indeed both condemn what they see as selfish northern-European-type women making career choices instead of babies (of the right ethnicity). State control over men’s and women’s bodies for military and demographic (i.e., racist) policies is not a new story: it is where racism and classism meet sexism. The philosopher Michel Foucault, in analyzing attempts over the past two centuries to incorporate sexual conduct into state political/economic systems, has pointed to a connection with the different varieties of racism that have erupted (Foucault 1978/1990: 26f). A century after Theodore Roosevelt blamed “emancipated women’s willful sterility,” for “race suicide,” (Longman 2004), Patrick Buchanan wrote: ‘Western women are terminating their pregnancies at a rate that represents autogenocide for peoples of European ancestry....(Buchanan 2002).

Bloodlines, blood feuds, half bloods, pureblood, blood royal, bad blood, good blood, English blood, blueblood, red-blooded--

Blood is indeed an evocative word, and the subliminal truths it has disseminated over the years have often conveyed two biological fallacies—first, that blood is somehow integral to inheritance, and secondly, that the paternal “bloodline” is of major or sole importance in this process (Montagu 1997:

366f). One can understand the appeal to authoritarian governments; they have always been on the lookout for deterministic justification for human differences. But Buchanan was old-fashioned in using the blood metaphor; recently, these associations come more commonly transmuted into what some biologists call the “gene myth”:

Genetic determinism is one of the most persistent myths in Western science. I think it goes back to the idea of noble birth and bloodlines that must have helped ruling classes retain power within families --- Mae-Wan Ho, biologist and Fellow of the National Genetics Foundation, 2005.

In 1994, James Watson, the first director of the Human Genome Project, discarded cold objectivity when he rhapsodized: “We used to think that our fate was in the stars. Now we know, in large measure, our fate is in our genes.” (Jaroff 1989: 67). Other biologists felt such expectations were exaggerated, based on what one called biobabble, and others termed the Holy Grail of Genetics, the medical crystal ball, a Delphic Oracle, as well as the gene myth (Hubbard 1999; Nelkin 1995). In February, 2001, the project’s completion was announced: “The outcome of the Human Genome Project has spelled “the death of genetic determinism” (Ho 2001). A similar undertaking by a private company—and in competition with the government’s HGP--came to the same conclusion at the same time; its director reported: “The wonderful diversity of the human species is not hard-wired in our genetic code. Our environments are critical...[Therefore] race is a social concept, not a scientific one “(quoted in Lewontin 2005).

Despite these findings, biological determinism in general and the “gene myth” in particular have not disappeared. Watson, now the head of Cold Spring Harbor Laboratories, spoke to a British film crew in 2000 about “the bottom ten percent” whom he labeled “stupid...I would call that a disease” (Black 2003: 442). The very term “bottom ten percent,” of course, conjures up associations with the Nazi “Final Solution” and the U.S. sterilization program that directly influenced it. At one time, during the first half of the twentieth century, Cold Spring Harbor was the center for eugenics experimentation in the U.S., a program that focused on “bettering” native stock by elimination of the “unfit ten percent” (Black 2003: 442). Watson and the other scientists who believe in genetic enhancement are eagerly ushering in a “brave new world” in which, just as in Huxley’s novel, a fabricated concept of heredity could become the basis for the ultimate hierarchical system; not found in the natural world of biology, it is possible to achieve in the world of dollars and technology, a complete ranking of citizens, and control from prenatal existence until death.

--A Tangle of Humiliation--

Work opportunity—personal responsibility--Dependent—Welfare Queen—Nanny State—single moms—virgin—chastity—intact family-wage—dead-beat dads—illegitimate—

Why can’t you learn to keep your legs together?

--social worker to Teresa Norton at routine welfare appointment

Welfare “reform” became law in 1996, and caused a nationwide exodus of students from public colleges. More than 18,000 students (mostly single moms) had to drop out of the City University of New York (CUNY), forced to give up their dreams for a better future in favor of temporary, menial jobs (Lewis 1999; Emsellem 1997). Teresa Norton (not her real name) was exceptionally fortunate in being able to

continue studying for a degree at CUNY; she had received special permission to have her job as department secretary count as work toward public assistance. A brilliant student and editor of the college paper, Norton was raising--not only her own two children--but a young niece as well. Still, she had to put up with humiliation. "I could not believe that a woman would talk to me like that," Teresa told me.

I ask you, what am I? I'm one of the undeserving poor, that's what I am....But my needs is as great as the most deserving widow's....I don't need less than a deserving man: I need more. I don't eat less hearty than him, and I drink a lot more. --Pygmalion

Thus George Bernard Shaw, through his character the Welshman Alfred Doolittle, ridiculed the ideology that the poor should be purer than the rest of us. In the play, Professor Higgins, impressed by the rustic philosopher's eloquent common sense, introduces him to an American friend who invites him to give lectures in the new democracy; lionized by U.S. society, Doolittle inherits a small fortune from a rich American admirer--and, to his chagrin, has to adopt "middle class morality," a state that includes marrying Eliza's mother.

Shaw gave the United States too much credit. In fact, crafters of the first U.S. welfare legislation, "The Mothers' Pension Program"--at about the same time the play was written--also had those deserving (white) widows (of noble military heroes) in mind, a circumstance that didn't change until the Social Security program of 1935 shifted state largesse to federal benefits and support became more widely distributed. Consternation set in when as increased numbers of African-American moms sought help in bringing up their families, increased agitation when it was broadcast that many were single, never-married mothers. Although there continued to be more white beneficiaries than black ones, the influx of African-Americans touched off a media blitz that has continued to evoke sexist-racist rhetoric.

Sparked by images of Reagan's "welfare queen" the teen-age single mom became the most demonized member of U.S. society. Charles Murray marvels at the nerve of the single mom who proposes, "Help me find a job and daycare for my children, and I will take care of the rest." In effect, Murray fumes, "she puts herself in the same category as the widow or the deserted wife--identifies herself as one of the most deserving of the deserving poor" (Murray 1984: 231). Murray's co-authored book published just before welfare "reform" became law, "proves" that the single mother is, not only the least deserving, but also the least intelligent because "having a baby without a husband is a dumb thing to do" (Herrnstein 1994).

According to psychologist Stefan Ducat "anxious masculinity" has affected the U.S. political scene since the 1980 election when, right-wing propagandists successfully began to link liberalism to weakness, dependency, and helplessness--and made a connection to "the emergence of the feminizing maternal menace of the welfare state, [Ronald Reagan's]... great myth that our national nanny knows best." Ducat believes this line of thinking carried to "logical, if psychotic extreme" led to the bombing of the Oklahoma City Federal Building." Amongst the various government agencies it targeted was a day-care center: "a very lethal, as well as bluntly symbolic assault on the 'nanny state'" (Ducat 2004: 6). Dependency in the United States, Ducat points out, is a subjective concept and has been increasingly regarded as a feminine condition--to be applauded in the case of wives, and derided in the case of

single moms whose independence then becomes threatening. Curiously, he points out, it is never attributed to husbands of the stay-at-home wives who service them, or to what he calls “the other AFDC (Aid For Dependent Corporations) (Ducat 2004: 187f).

The very essence of the male animal, from the bantam rooster to the four-star general, is to strut... (Daniel Patrick Moynihan, 197)

Welfare “reform” has a pedigree. It was a practical implementation of a blueprint by Robert Rector (1995) who used the recommendations of Charles Murphy (1984) that depended upon Daniel Patrick Moynihan’s tangle of pathology theory (Moynihan 1967)—the name taken from sociologist Kenneth Clark and the concept a redo of the “culture of poverty” theories of Oscar Lewis, Edward Banfield, Franklin Frazier, and others. Moynihan’s Report, published in 1967, presented the high-achieving African-American mother as emasculating her sons: The very essence of the male animal, from the bantam rooster to the four-star general, is to strut....U.S. society “presumes” male leadership in private and public affairs. However, Moynihan seems not to have had generalships, but more modest military positions, in mind for African-American youth—if only their overachieving moms wouldn’t stand in the way. Like Wattenberg (as noted above for Mexicans) he sees a win-win situation: more soldiers for the country and a disciplined life for youth who would profit especially from “a world without women; a world run by strong men of unquestionable authority...”(Moynihan 1967: 127ff).

Suddenly, the real difficulties experienced by inner city African-American men were not due to systemic social inadequacies (drug-ridden streets, unemployment, racial prejudice) but the result of “mother-headed” families—a convenient way to transfer social problems to the shoulders of the individual. At a time when young men were unashamed to wear their hair long and shout: “Hell, no! I won’t go,” it was useful to bring in what Stephan Ducat calls the “wimp factor.” With one flourish of his pen, so to speak, Moynihan managed to humiliate both men and women in the African-American family—and to pit them against each other: Neither the mother herself nor African-Americans in general could take pride in her success any longer—for wasn’t that very thing destroying her son? Worst of all, he was now officially designated an “unmanly man” by the dominant culture openly flaunting its gender pathology as a natural right.

Moynihan is a hero to the social engineers manufacturing manly men today. The complement to the concept of the male as essentially a military machine is the female as essentially a breeder, yes, the same mother that the manly man must escape from. Let’s have a look at a dramatization of the approved role for (at least middle-class) women according to fundamentalist Christians today:

The Covenant of Purity and Protection--

Contemporary Christian evangelicals, trying to turn the clock back to a time when female sexual ignorance was virtuous, have recently invented the “Purity Ball,” an elegant and costly ritual that was performed in at least 40 states within the last year. Tuxedoed dads escort their daughters (from about 9 or 10 years of age through teens) on the only date they are allowed to have before marriage—a sort of mock wedding ceremony replete with wedding cake, ring and formal dress. The dads—who are designated “high priests in their homes”—sign a “Covenant of Purity and Protection” as they slip “purity

rings“ on their daughters’ fingers and vow to “war” for the chastity of their “princesses.” The daughters pledge abstinence until marriage, and there is dancing with dad (Stange 2007). The images are all recognizable: chastity as purity, the absent mother, the princess daughter, the high priest dad, wedding cake and ring, a pledge, a test, fathers vowing to defend family honor with military allusions, passive child-women ceding individual autonomy to their fathers while waiting for the ever-after ending to each individual fairy-tale.

The Purity Ball is a dramatization of a sub-truth with a very long cultural pedigree: the paradoxical virgin-mother ideal. It is implicit in the “ever-after” conclusions of most fairy tales and all those novels that end with the wedding, the end of chastity and purity for the heroine. Literary analysts have puzzled over the “absent mother” theme in literature, and mom is conspicuously absent from the traditional Christian wedding ceremony. The father gives the bride to the husband to whom she cedes her individual identity by assuming his name; there is an entourage of males and females in waiting—but no particular role for the mother of the bride. Since her purpose in this society is to become a mother, the “princess” is adored for promising to put off what she is destined to become. “It is not hard to see how every fundamentalism is driven, at base, by a defense of purity. And, for men in such a world, the feminine is often the greatest impurity that evokes the greatest anxiety. Conscious and unconscious links are made between women (especially their bodies) and filth” (Ducat 2004: 219).

Trickle-Up Morality—

One third of the U.S. HIV budget goes to public school courses that teach abstinence from sex until marriage—and are only permitted to mention contraceptives negatively. These classes lack educational merit according to objective studies (including an investigation by Rep. Henry Waxman in 2004 and recent evaluations by Mathematica Policy Research, Inc. and a team from Oxford University). The texts include false biological information—e.g., that genital touching can result in pregnancy; ideology is presented as fact: e.g., a man needs “admiration” while a woman requires financial support. Children read a story about a princess whose prince left her for a village maiden because she didn’t hide her intellectual superiority. Still, 88% of students in these programs eventually have sex before marriage, roughly the same as their peers.

In early March, 2007, Wade Horn, point man at the Department of Health and Human Sciences for supervising welfare “reform,” announced that he was extending abstinence education to include adults from 18 to 29 years of age (Berkowitz 2005, 2007). The moral crusade launched through welfare reform is being expanded to the general population—a case of trickle-up morality. The Guttmacher Institute responded with disbelief; it had just published research showing that premarital sex has been the common experience of virtually all Americans for at least four decades (Finer 2007).

A New Hand-Maid’s Tale--

The target population for preconception health promotion is women, from menarche to menopause, who are capable of having children, even if they do not intend to conceive. (U.S. Center for Disease Control, 2006)

Whenever a “pre-conception,” woman consults her private medical practitioner, she may expect to be questioned about her private life. This document from the United States Center For Disease Control advises physicians to record the information so received in something called an “intervention”: Do you smoke, drink wine? Do you clean the cat’s litter box? A physician responded online with disgust, pointing out that wine, in moderation, had been proven beneficial; in any case, he continued, it was not up to him to delve into people’s private affairs, adding that he would not participate in something reminiscent of Nazi Germany. To many persons, this action of the government also brought grim images of Margaret Atwood’s Gilead, the subject of her dystopian novel, *The Handmaid’s Tale*.

Over the last six months, startled responses to the CDC report have been almost smothered in Googlesphere by paid advertisements for vitamin supplements for “pre-conception women,” vaccines that claim to protect diseases dangerous for “pre-conception women,” as well as government advisories on proper behavior for “pre-conception women.” If this perception of women becomes law, the equal rights amendment could never pass; Title IX and choice would be in jeopardy, seriously compromised by the legislated biological inequality of women.

If it were not so serious for the individuals involved, we could laugh at Mikado-like government fiats targeting intimate personal relationships. But it is not so funny for the little girl whose (single) mom tries to enroll her in Head Start—only to find that they are no longer considered a family; or the little boy whose parents (whether heterosexual or gay) have never married and therefore are not eligible for federal housing; or state governors who find themselves in the foolish predicament of having to compete against each other for federal funding by raising marriage statistics or lowering out-of-wedlock figures; or for the father who having established a good relationship with the (custodial) mother of his child is dragged into court for not fulfilling his obligation to the system.

PART III: SUMMARY

In sum, the three general subliminal truths examined in this article can be used to justify: warfare (Pacification, creative destruction, etc.); ethnocentrism (American Exceptionalism); and, finally, discrimination (Bloodlines, pure blood, etc.), the place, as noted above, where sexism meets racism. In different ways, these over-arching themes convey a necessity for purification, and perhaps that is at least partly the reason they often escape critical examination; purification, like humiliation, occupies a sensitive place in the human psyche.

Purification is the theme of the numerous flood legends found in virtually all parts of the ancient world; it is at least as old as the story told by Utnapishtim in the Babylonian epic, *Gilgamesh*, (third millennium BC), an antecedent of the Noah tale among others. It is also found in rebirth stories such as the phoenix bird myths of East Asia (sometimes used metaphorically by early Christians). Chastity (solely applied to women in most cases) has been considered a state of purity for at least as long as there have been patriarchal societies.

Mary Douglas has pointed out that the “final paradox” of the search for purification is that “it is an attempt to force experience into logical categories of non-contradiction, but the experience is not amenable and those who make the attempt find themselves led into contradiction” (Douglas 1966: 200).

The three sub-truths examined in this paper—along with the STs they generate-- indeed support Douglas's point. All three lead to contradictions, at least as most people today would see it: Warfare does not pacify, clean, create or mend; neither the United States nor any group within it has been chosen as especially noble. And lastly, a high valuation on female virginity usually leads to the paradoxical mother-virgin figure.

The authoritarians who reject multiculturalism, international treaties, diverse family types, and the findings of scientists (re climate, evolution, and genetic determinism)—not to speak of “the complicated truth” are attempting to resurrect the top-down view of the world in which inferiors must not only be humiliated but be forced to internalize the conviction “that they are responsible for the damage that they have brought upon themselves.” After all, “Convincing subordinates that they are responsible for their humiliation and deserving of shame diverts attention away from the actions of the dominant group” (Hartling 2004: 107).

Deterministic theories—whether supported by blood, genetics, standardized testing, or awe-inspiring graphs—are obviously useful in supplanting the complicated truth with simplicity itself: single moms are “dumb,” (Herrnstein and Murray), the “bottom ten percent” are “stupid,” (Watson), and “those crappy little countries” that need to be thrown against walls from time to time should “feel shame” for their “inability to keep pace” (Ledeen). The “theater of war” has become a spectator sport with real persons' lives sacrificed to the illusion of an American exceptionalism built on “limitless good.”

The U.S. cultural revolution of the 1960s, associated with a perceived loss of status in Vietnam, left some politicians and other members of elite groups grappling with the idea that they were victims of humiliation, feeling their privileged birthright slipping away from them.

From a human rights perspective, only certain claims for humiliation and demands for redress are deemed “legitimate,” but from both scholarly and pragmatic perspectives, it is unwise to label any such feelings as “right” or “wrong,” ...because even if the injury is imaginary, the revenge is just as real (Lindler 2006:28).

To what extent their own desire for vengeance (as opposed to the lure of lucrative military investment) has driven U.S. leaders is similarly unimportant. However, the notion of revenge, combined with the national narrative many Americans imbibed with their mothers' milk, can be expected to ward off, or at least mute, substantial criticism. The main thrust of rightwing wrath has been levied at the sea-change in sexual mores, which, despite all the intimidating tactics of “trickle-up morality”(see above), has not been thwarted. Undoubtedly fueling this anger is a realization, despite the rhetoric, that a weakening allegiance to the authority of church and state--not moral laxity—is behind the continuing rise in out-of-wedlock births, now reaching nearly four of every ten babies born in the U.S., a trend similar to the European one. U.S. teen pregnancies have hit an all-time low, indicating that decision by older partners, not the ignorance of children, is the main factor. Are there signs that the bring-back-stigma crowd is beginning to have an effect on the hesitant? I don't know. However, a new kind of plastic surgery called hymenoplasty (hymen reconstruction) has come into being, while some churches offer a less expensive solution to the shamed: temporary virginity.

Sub-truths do not require fabrication to exist, but, in a society where propaganda has been raised to an art form, it is essential for citizens to acquire the intellectual tools to sift fact from fancy. USAF Colonel (Ret.) Sam Gardiner, who used to teach at the National War College, conducted an investigation into the propaganda mill run by Donald Rumsfeld. He reported: "There were over 50 stories manufactured or at least engineered that distorted the picture of Gulf II for the American and British people" (Gardiner 2003).

"At present we are sleepwalking into one-man rule," wrote Jonathan Schell recently (Oct.8, 2007), Humiliation seems to be propelling U.S. troops to march into yet another illusion: "surgical strikes" to pacify Iran, while even the generals protest. A Democratic Congress refuses to cut funds for a reluctant Pentagon, adding to a national deficit only a billionaire could love.

Yes, walkers have been walking away from obedience to church and state, and perhaps some are hesitant to admit just what a giant step that is. Individual choice over institutional allegiance has always been an important part of the very definition of democracy; yet, in today's political climate, it must be defended. Of course, it does mean not being ashamed to question some assumptions with very old pedigrees.

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Footnotes

[1] Dan M. Kahan, Professor at the Yale Law School, was probably the most influential promoter of public humiliation as an alternative to incarceration. Unexpectedly, ten years after his original publications on the subject, he recanted his position in favor of restorative justice (1996 and 2006).

[2] The Neo-conservative think-tank Project for a New American Century (PNAC) was officially founded in 1997, although parts of the planned agenda had already surfaced as a 40-page Defense Department memo leaked to *The New York Times* in 1992. PNAC was the fruition of some 35 years of effort in gathering financial and media support for an authoritarian ideology that included pre-emptive wars, nuclear weapons availability for limited wars, the development of biological weaponry, regime change, control of global energy resources, a global constabulary function, resurrection of the missile defense system, and a dramatic expansion of the military budget to maintain preparedness to fight "multiple simultaneous major theater wars" to quote from the 90-page document, *Rebuilding America's Defenses* (2000). The same report includes the observation that "the process of transformation, even if it brings revolutionary change, is likely to be a long one, absent some catastrophic and catalyzing event -- like a new Pearl Harbor" (Donnelly 2000). The attack on the twin towers served this purpose, and jump-started the Neocon agenda which became official doctrine nine days later when President Bush presented the "National Security Strategy of the United States of America." By 2003, according to the latest figures from the Department of Defense, U.S. troops were present in 70% of the sovereign independent nations of the world (135 of 195) (*Basic Structures Report*). The military buildup has led to the destruction of domestic programs and the amassing of unprecedented debt: from a surplus when the Bush administration took over in 2001 to an estimated \$10 trillion deficit projected for 2009 according to the Congressional Budget Office (Carter 2005: 191f).

[3] For an examination of Dundesian folk ideas in Ronald Reagan's language, see Hauttenhauer 1984.

[4] One self-described conservative whose unhappiness with the present brand of Republicanism made him register as an Independent, is James Dean, a Washington insider since Watergate days. His book on authoritarianism was written out of concern that "...the authoritarians who have already taken control, will take American democracy where no freedom-loving person would want to go" (2005: 180, 184).

[5] According to William James, Theodore Roosevelt was "...still mentally in his Sturm und Drang period of early adolescence....He swamps everything together in one flood of abstract bellicose emotion" (quoted in Hofstadter 1945:195).

[6] Usually, this much-quoted passage is attributed to Richard Perle, but I have also seen it attached to Michael Ledeen's name a number of times-- even once attributed to Wolfowitz. It doesn't really matter; the hubris displayed could come from any one of the three. But it is a good example of the way STs travel through printed sources--a circumstance once solely associated with oral transmission in a discredited definition of folklore. Meanwhile, I'll stick with John Pilger's book as being the authentic source. [1] Albert Wohlstetter's research focus for the Rand Corporation was on limited nuclear war. Robert McNamara, Secretary of Defense during the Kennedy and Johnson administrations, tells us in his book, *Blundering to Disaster*, that the use of nuclear weaponry has never been off the table (1986:136f).

[7] Strauss's early writings reveal his affinity for extreme authoritarian political ideas. In a letter dated May, 1933, he proclaimed his contempt for egalitarian values and vowed that he wouldn't let his own victimization (from anti-Semitism) drive him to the "ludicrous and despicable appeal of human rights" or shake him from what he called "principles of the right, that is from the fascist, authoritarian and imperial principles." He referred to his own personal disbelief in religion and his admiration for the Roman Empire: "There is no reason to crawl to the cross, neither to the cross of liberalism so long as somewhere in the world there is a glimmer of the spark of the Roman thought" (Strauss1933/ 2001; Horton 2006). Carl Schmitt, the Nazi legal scholar who rewrote the German constitution to justify Hitler's coup in 1934, got Strauss the Rockefeller Foundation grant that sponsored research in France and England on his way to the United States (Horton 2006). Finally, as a scholar of ancient Greek and Roman philosophy, Strauss's particular interest was in the hierarchical structure of the Platonic regime in which intellectually elite rulers kept the majority in line through coded messages and noble lies. There is little doubt that the match between Strauss's viewpoint and that of U.S. politicians trying to counter the counter culture was serendipitous. At the time Strauss's ideas began to filter into U.S. consciousness, right-wing forces were setting up right-wing think tanks, especially the Heritage Foundation founded in 1973 (the year of Straus's death) by Paul Weyrich with the deep pockets of beer magnate Joseph Coors (to be followed by the equally deep pockets of Richard Scaife).

[8] memorialized in Saul Bellows's novel, *Ravelstein*.

[9] CUNY is the nation's largest urban public university. In 1995, before the welfare "reform" bill was signed, 28,000 students were enrolled in CUNY; there were programs to help impoverished students (those below 50% of the poverty line) receive public assistance to attain college degrees, and their success is reflected in the fact that 90% of those students left welfare permanently. Most recipients were African-American parents (mostly single moms) entitled to use AFDC (Aid to Families with

Dependent Children). 18,000 students were forced to drop out of this one university when TANF (Temporary Aid to Needy Families) was substituted for AFDC under welfare “reform.”

[10] Eric Keroack,, anti-birth control and anti-sex education zealot, was appointed Deputy Assistant Secretary for Population Affairs in November, 2006. During the last week of March, 2007, Wade and Keroack suddenly resigned from the HHS[1].

[11] The White House Coalition Information Center was set up by Karen Hughes in November, 2001— and renamed the Office for Global Communications in January, 2003.

About the Author

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The Universal Spirit of the Japanese Constitution: Re-Reading Article 9

Kenji Urata

The theme of this paper is “the spirit of the Japanese constitution and its universalism,” and its subtitle is “re-reading Article 9.” The intent is limited to “reading” Article 9 of the Japanese constitution, and does not involve rewriting it. Therefore it will not deal with the arguments themselves for amending the constitution, instead offering a discussion of Article 9 interpretation and a discussion of policy based on constitutional principles.

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Humanitarian Assistance: Public Stance and Reality

Let us begin with the current situation regarding the constitution.

The Antiterrorism Special Measures Law took effect on November 2, 2001 and expired on November 1, 2007. It was to be replaced by a successor law, the Supply Assistance Special Measures Law, whose bill was being debated in the Diet during November 2007. Three things can be said about the public stance of the lapsed Antiterrorism Special Measures Law.

First, the war in Afghanistan was prompted by the terrorist attacks that occurred on US soil on September 11, 2001, which led to the “war on terror.” There is a close connection here with the US-Japan alliance. Incidentally, the June 29, 2006 Koizumi-Bush meeting produced the “Joint Statement: The Japan-U.S. Alliance of the New Century.”[1]

Second is that the activities of Japan’s government, especially Self-Defense Forces (SDF) activities, in support of this “war on terror” are geared to the activities of other countries, including NATO member countries, with the goal of realizing the purposes and principles of the UN Charter. In a broad sense, this is a component of activities for international cooperation. For example, if one reads the outcome document of the UN World Summit adopted in September 2005 to provide an interim summary of the September 2000 Millennium Declaration, it sets forth strategic objectives and solutions for world problems extending to poverty, the global environment, and arms reduction.[2]

Third, if based on resolutions by the UN Security Council and other bodies, the perception is that implementing so-called humanitarian measures conforms to the peace principle of the Japanese constitution. For example, the Antiterrorism Special Measures Law was originally known as the “Law for Supporting the Activities of the US Military and Other Entities” or the “Law for Supporting the Activities of Other Countries’ Military Forces.” But subsequently “US military” vanished, and then “military forces” was deleted, and the authors started adding terms such as “UN Charter,” “UN resolutions,” and “humanitarian measures,” finally taking on an unusually long name of 112 characters. This was a feat

achieved by techniques used to show that the Antiterrorism Special Measures Law conforms to the constitution, and was probably the result of editing done by legal affairs bureaucrats.[3]

While the above three points give the public stance, what is actually being done? To be succinct, the public stance and reality are distorted.

On November 16, 2001 the Cabinet approved a basic plan based on the Antiterrorism Special Measures Law.[4] This plan includes the provision of supplies. The Maritime Self-Defense Force, which carried out the plan, also supplied fuel to US supply ships, among which no distinction is made between those which engage in operations in Afghanistan, and those engaging in operations in Iraq. If the US supply ships fueled by Maritime SDF ships participated in the Iraq War, it would mean that Maritime SDF ships supplied war resources. This is sufficient to raise suspicions that Maritime SDF activities are perhaps not so-called humanitarian assistance.[5]

In the event that the SDF participate in the war on terror, the Antiterrorism Special Measures Law would be applied, as in the Gulf War, but in the case of the Iraq War there is an Iraq Special Measures Law which involves activities to help ensure security in addition to humanitarian assistance activities. Officially, activities under the Antiterrorism Special Measures Law are limited to humanitarian assistance, but it is suspected that in reality the SDF performed war-participation acts that could be construed as cooperation in prosecuting the war.

After marine refueling was discontinued due to expiration of the law, a bill for a successor law, the Supply Assistance Special Measures Law, was debated in the Diet. Many UN Security Council resolutions are quoted at the start of the bill in a bid to justify supply activities. What is more, the humanitarian assistance activities conducted by Japan's government are said to be fueling only. There is a question about the grounds for providing fuel, involving the following points of contention.

On the level of political discourse, two stances have emerged.

First is the argument advanced by the Liberal Democratic Party (LDP) and Komeito, which are the governing parties. They contend that Japan should continue the fueling operations at sea as an international commitment, based on the alliance with the US. This argument emphasizes the "special US-Japan relationship" and the demands of the military alliance, and could be characterized as appealing to "specialism."

By contrast, the argument of the opposition parties, especially the Democratic Party of Japan (DPJ), can be described thus: The war in Afghanistan, which is the "war on terror" that the US initiated, was originally launched as a use of the US collective right of self-defense. As such, it is not permissible to deploy Japan's SDF and perform fueling operations. They argue that there is no UN Security Council resolution and no grounds for sanctioning the use of armed force. Their position attempts to judge the justifiability of these operations in light of the charter of the UN, a universal organization, and resolutions by the Security Council, an authoritative agency. Therefore their position could, generally and abstractly, be described as "universalism."

Here we have an evident clash between specialism and universalism.[6]

Another issue is whether, from the stance of the Japanese constitution's peace principle, the SDF's foreign deployment and fueling operations can be allowed. I will consider this issue separately.

Examining the Successor Law in View of Constitution Theory

Let's take a look at the problems in the successor law (Supply Assistance Special Measures Law or "New Antiterrorism Special Measures Law") from the standpoint of Japanese constitution theory. As observed above, the Antiterrorism Special Measures Law and its successor law both suffer from contradictions between the public stance and reality. Here I shall consider the intrinsic reason for that. From that perspective, we can make the following four observations about the successor law's bill, which passed the House of Representatives and was sent to the House of Councilors last November.[7]

First, none of the UN Security Council resolutions quoted at the start of the bill justifies military action.

Second, fueling operations by Japan's Maritime SDF vessels do not have a justifiable basis in the US-Japan Security Treaty. If there are combined US-Japan actions, Article 5 of the Security Treaty would be applicable, but at this time there is no contingency in Japan to which Article 5 would apply. Additionally, the international commitment based on the US-Japan military alliance, which is cited by the government and governing parties, is the redefinition of the US-Japan Security System confirmed in 1996 by Clinton and Hashimoto, but the treaty itself has not been amended.

Third, what about Article 9 of Japan's constitution? Paragraph 2 says in part that "land, sea, and air forces, as well as other war potential, will never be maintained," thereby prohibiting the maintenance of war potential. This provision bans the overseas deployment of the SDF and their participation in war. Thus the successor law mistakes the interpretation of Article 9.2, as well as that of the pacifism and international cooperation principle of the Preamble.

Fourth and finally is the interpretation and implementation of the Self-Defense Forces Law. A look at the law shows that fueling operations do not constitute the use of self-defense capacity based on the right to defend Japan. There was a unified view of the Japanese government on the exercise of the right of self-defense and on the use of self-defense capacity, but there is the feeling that these constraints have been shattered. Additionally, the successor law does not have the provision for a basic plan that was in the Antiterrorism Special Measures Law, and the Diet is not asked to approve fueling operations. Concerning the manner of deliberations and decisions on the bill, there is the problem that the two houses of the Diet are controlled by different parties. Therefore there is the problem of procedure within the Diet. And there has been public criticism of the fueling of US ships by Maritime SDF vessels with respect to justifiability, legality, and constitutionality.

The foregoing is one point at issue in relation to constitution theory.

Desirable Form of International Cooperation Activities

A deeper look at this issue requires consideration in view of the desirable form of so-called international cooperation activities.[8] If, in examining the constitution and the history of international cooperation activities, we go back to the period of time after the Cold War, and especially after 9/11, one notes the emergence of a new view using the term “spirit of the constitution.”

In December 1989 the Cold War was declared over, and after that the Soviet bloc collapsed. Then the 1990 Gulf crisis led to the Gulf War. That was followed by 9/11. During this time period the US government pressed Japan to deploy the SDF for the “war on terror.” In response, then LDP Chief Secretary Ichiro Ozawa used the term “spirit of the constitution” in an attempt to justify the deployment of SDF soldiers abroad. His rationale was not Article 9, but the phrase “We desire to occupy an honored place in an international society” in the constitution’s Preamble.

In other words, the government had presented a new interpretation of the constitution in which SDF participation in the “war on terror” was not the exercise of the collective right of self-defense, but rather the participation in UN group-security activities. Ozawa’s Blueprint for a New Japan, in which he set forth his position, was already published in 1993 after the Gulf War, and an English-language version appeared in 1994.

The first argument this book made was that Japan should quit the defense strategy of defending only itself and switch to a peace-creation strategy that is built around the US-Japan security system. In this context he gives a new reading to the pacifism of the constitution’s Preamble, and says that there we find the “spirit of the constitution.” He then advocates the creation by Japan of a UN Standby Force in order to put UN-centrism into practice. These two features constitute the theory of the “spirit of the constitution” that Ozawa advocates in his book.[9]

This was how the Peacekeeping Operations Law, under which the SDF participate in UN peacekeeping operations, was passed in 1992. But in the case of this law, five participation principles were established, and conditions were attached for accords, neutrality, withdrawal, and other matters, as measures to ensure that it would not conflict with exercising the collective right of self-defense. SDF activities were therefore restricted. In recent years we now hear the opinion that this runs counter to the “spirit of the constitution.” For example, Atsushi Kusano insists that the Peacekeeping Operations Law should be changed to widen the scope of permissible SDF activities.[10]

Taking the example of these two people, how should one respond critically? One recalls the case of Masao Maruyama, who maintained that instead of one-nation pacifism, Japan must actively make proposals and take action to bring about world peace. In his thinking, Japan’s pacifism was originally not one-nation pacifism but something that might be called positive pacifism.[11]

Since that time we constitutional researchers have developed constitutional policy theory in response to the court decision in the Naganuma case. In 1987 we published *The Creative Implementation of the Peace Constitution* (Gakuyo Shobo), which was during the Cold War. After the Cold War, in 1998, we published *For Lasting World Peace: A Proposal for the Japanese Constitution* (Keiso Shobo), which on the level of policy theory discusses positive pacifism that is non-military and civil.

Japanese Constitution Guidelines for Solving Problems

This section will consider what guidelines the Japanese constitution offers for solving the problems presented above.

First, we need a basic stance from which to comprehend those guidelines. Both paragraphs of Article 9 must be read in conjunction with the constitution's Preamble, which sets forth a normative structure in which international peace and domestic democracy have an inseparable relationship. The Preamble's normative meaning is given tangible form by the provisions for the renunciation of war and non-maintenance of war potential in Chapter 2 Article 9. Reading the constitution by combining pacifism with the constitution as a whole requires that one combine pacifism with constitutionalism. And doing so also combines pacifism and democracy. The pacifism of Japan's constitution should be read as an amalgam of constitutionalism, democracy, and pacifism.[12]

From this basic stance, how should we conceive Japan's activities for international cooperation?

According to the understanding of international relations theory, international cooperation consists in activities which transcend national boundaries and are conducted for the purpose of eliminating the fundamental causes of wars and confrontation between nations, and of conflicts in domestic relations. While in the broad sense it can include political activities, in general it often signifies economic, cultural, and humanitarian activities. These are in all cases non-military and civil activities.[13]

By contrast, the US-Japan alliance seeks to globalize the implementation of the US-Japan Security Treaty, and the military alliance is at the core of the US-Japan alliance. That is why Japan's international cooperation activities were originally different from US-Japan alliance activities. What is more, they are by nature different from UN military operations, which are the polar opposites of non-military and civil activities. If Japan's international cooperation activities are to strictly uphold the constitution's pacifism, what does the spirit of the constitution mean? And how should we interpret and implement the text of Article 9?

The Constitution and Universalism

What is meant by the "universalism" of the constitution? I think there is still a need for in-depth research on the controversy over the ideas and philosophy concerning the common good which has been debated since the time of Aristotle.[14] Thus I would like to consider this matter in the following way. For example, the Committee of Seven for World Peace made the following proposal in April 2004: Nothing can be solved by military force. The requirement by Japan's constitution to renounce war, and further to not recognize war potential and the state's right of belligerency is a pioneering act along the lines of the UN Charter and the Kellogg-Briand Pact. The Committee asks that the implications of Article 9's second paragraph be confirmed by international society, and that other countries follow this.[15]

The statement being made here is that the call for disarmament and denial of the state's right of belligerency have universal validity; other countries making up the UN in international society are asked to follow suit. This should have currency for anyone, anywhere, anytime, so that is why it is said there is

universal validity. In that sense the constitution's right to live in peace supplements the theory of "human security" as a policy ideal.

While the UN Security Council assumes a stance that sets store in military priority, the "theory of human security" by contrast has emphasized the importance of the United Nations Development Programme (UNDP), which is oriented toward people's lives, livelihoods, and economic development. In this sense, the "theory of human security" has, in contrast to the military-priority operation of the UN, been a strategic proposal counterposed against the importance of the UNDP, which is under the UN Economic and Social Council.

Article 9 asks that we strengthen universal validity through combination with a "human security" strategy. In this sense universalism is not in the dimension of ontology or epistemology, but is advocated as hermeneutics, telling the way something should be.

It is exactly concerned on the matter how we would interpret the meanings of the sentence in the preamble that " laws of political morality are universal."

Conditions for Universalism

Next I would like to consider the matter of the conditions needed for the constitution's universalism. This is advocated as policy theory based on constitutional principles.

In the world of "rule by force," Japan was occupied by the US military in 1945, but the emperor system, bureaucracy, and Japanese capitalism were spared. The military occupation, and the continuance of the emperor system, bureaucracy, and Japanese capitalism, constituted the essence of the real world. But two levels were created in the scheme of postwar rule of law. One is the level of international law, where the UN Charter was created, and the Potsdam Declaration was issued and accepted. On the domestic law level, Japan's constitution was enacted. In this way, postwar Japan came to have a dual structure of rule comprising "the real world" and "the world of law." [16]

But my argument here on the rule of law scheme is: It can be said that both international law and domestic law in principle take the position of universalism. Let's consider what that means.

The United Nations was created to shape the postwar world order by the allied powers, including the Soviet Union, which fought in the Second World War. It was "we, the people," the people of the allied powers, who enacted the UN Charter, which now occupies a place at the center of international law. Based on lessons learned during the days of the League of Nations, which was created after the First World War, the Potsdam Declaration stated that the postwar rule of Japan by the allied powers would not seek to expand territory to demand reparations. Thus the Potsdam Declaration was written on the assumption that it would be in accord with the spirit of the UN Charter. Influenced by this trend, Japan's constitution likewise explicitly stated in its Preamble that the constitution is founded upon a universal principle.

But about 1948 it became apparent that the US policy on Japan occupation had changed. After that, in the real world as the Japanese archipelago was turning into an anti-Soviet military base, Japan was setting up a balanced but unstable ruling system comprising the political community, the business community, and bureaucrats. This paved the way for the resurrection of Japanese capitalism. But what was going on in the legal community? The pacifist and democratic provisions of Japan's constitution were being eviscerated, and some were advocating reactionary amendments to the constitution.

In 1952 the Treaty of Peace with Japan was signed, but this was one-sided reconciliation that excluded countries such as the Soviet Union, India, and China. At the same time, the US-Japan Security Treaty was enacted, and signed only by Shigeru Yoshida. During the Cold War years, the military alliance under the US-Japan Security Treaty gradually advanced, and the discourse on the US-Japan alliance was emphasized. This strengthened the "specialism" of the US-Japan linchpin.[17]

This specialism combines with the universalism of UN-centrism and Japanese constitutionalism in the capacity of a rationale and of the public stance. This is how the ideology of Japan's rulers is characterized.[18]

Further, in December 1989, Mikhail Gorbachev and George H. W. Bush declared the Cold War officially over at a summit meeting in Malta, and then the Soviet Union was dismantled. Then along came the Gulf War, and Japan's rulers started giving new readings to the UN Charter and UN Security Council resolutions with respect to Japan's constitution. An example is cooperation with UN peacekeeping operations under the rationale described above. This is not what international cooperation activities are supposed to be.

But in the case of the war in Afghanistan, and also the war of aggression against Iraq, Japan's rulers come up with a new reading, and justified the overseas deployment of SDF troops. As we already well know with respect to Iraq, the Bush administration manipulated information, rejecting even that from the CIA, and making up false reasons to justify the war, such as saying that Iraq was harboring terrorists. And there was the British claim that Iraq could even launch chemical or biological weapons on short notice. Washington leaders sought countries to assist with the new war against the threat of terrorism, which further promoted the military expansion of Japan and other countries that provided assistance. Here the term "international cooperation activities" served to lend a "non-military and civil" aura to SDF operations which deployed soldiers abroad.

But how does this look from the perspective of the world of law? Inside Japan, the brakes have been put on the militarization of public power exercised under the democracy/peace constitution. One could say that the legal defense offered these days by Japan's rulers is to be found at the midpoint between the following two currents.

One of these currents is to rewrite the constitution and reinforce the US-Japan alliance under the new constitution, while the other is to rescind the US-Japan Security Treaty and totally implement the pacifism and democracy of Japan's constitution. Japan's rulers want to make their legal defense appear to be positioned somewhere between these two currents, and they are particular about how policy is

shaped. Here is a contemporary cause for the emergence of the clash between universalism and specialism in the world of law as well.

At the heart of this contemporary cause is the existence of the US-Japan security system, which fundamentally contradicts Japan's constitution. By interpreting the UN Charter around the US-Japan security system, Ichiro Ozawa says he will create a new UN peace-creation strategy. But for that reason the contradictions of his rationale become ever more convoluted and hard to understand.

Giving Full Play to the Constitution's Universalism

Here I would like to consider the conditions for giving full play to the Japanese constitution's universalism. For now, I shall put Japan's role on three levels.

First, in an interpretation of the constitution, Article 9's second paragraph provides that all war is illegal, and Japan should maintain this interpretation. It should also uphold the view of the Japanese government (Cabinet Legislation Bureau) that it will not use military force.

What about government policy? Japan should rectify the harmful implementation of the US-Japan military alliance, which aims to prosecute a "long war against terrorism," and dissolve the military alliance. That dissolution should involve replacing the alliance with a treaty that aims to build a new relationship of war renunciation and friendship between Japan and the US. And Japan must change the orientation of its foreign policy to that of "omnidirectional foreign policy" and "foreign policy that emphasizes the UN," which would respect UNGA resolutions and UN resolutions that elucidate a variety of world problems.

Concerning Article 9's second paragraph, the government states that it might exercise the right of self-defense based on that right of the state, but this involves a number of problems which still need to be worked out, such as whether the three requirements for exercising the right of self-defense are fulfilled, or whether a distinction can be made between self-defense force and war potential. Especially now, when debate is focused on whether the exercise of the collective right of self-defense should be permitted, it is necessary to uphold the view that exercising that right violates the constitution.

In the area of policy, Japan must hold fast to the rule of keeping defense spending to within 1% of GNP; ban arms exports; observe Diet resolutions that ban the overseas deployment of soldiers, and reorganize the Ministry of Defense and the SDF into non-military peace organizations. Another task is to observe the three non-nuclear principles, and to legislate them.

The foregoing has been a discussion of Article 9, but Japan's constitution also confirms that all the peoples of the world have the right to live in peace. Realizing the right to live in peace requires that the Japanese government implement its ODA policy on the basis of non-military principles. Doing so would also represent a positive commitment to the contemporary theory of "human security." In this role, Japan should in a more concrete manner work to assure the conditions for people's lives and living in peace.

Japan's second role is in diplomacy. Foreign policy on the government level is fraught with the contradiction between universalism and specialism. Thus the government must make continuous efforts toward dissolving the US-Japan military alliance. For example, it should stop providing military bases, and cancel defense cost burden-sharing. At the same time, it is important that the government actively participate in the UNDP and other UN social and economic programs, and make international contributions in this way.[19]

Third is the importance of activities not only on the government level, but also on the NGO level, including municipalities, and the private level. These are citizen activities aimed at solving global problems such as poverty, environmental problems, discrimination, and population. There are activities by developing countries and NGOs, especially in the areas of humanitarian assistance and peacebuilding. For example, there are Canada-style standby forces, in which each country sends a military force, and since the end of the Cold War there have been peacekeeping operations in which they send forces as allied forces of the US. But also conceived and pursued are individual operations, separate from those run by states, which are carried out on the private level in collaboration with UN operations. One example of this is the creation and deployment of civilian peace units.[20]

Conclusion

To conclude, I shall focus on the following three points.

First, because here I have concentrated on the job of reading Article 9, I did not touch on the work of rewriting Article 9, that is, making it more explicit. This matter will have to be explored in relation to the subject matter presented here, and while distinguishing it from constitutional interpretation and the preferable form of political policy. But it shall have to wait for another day.

Second, some of Japan's rulers think that the "spirit of the constitution" justifies Japan's participation in the US military's "long war against terrorism," but this is not a justified interpretation. If one reads Article 9 once again, one must refuse and resist the "spirit of the constitution" theory of Japan's rulers, including Kaoru Shigemitsu, Ichiro Ozawa and Jun-ichiro Koizumi. To do that, one must offer something to take its place, and it is here that the concept of the constitution's universalism has important significance as a rationale. Global society currently has about 6.3 billion members. Forty percent of them, or about 2.6 billion people, are the populace of the Asia-Pacific region and ordinary people. And I would say that the image of ordinary people here is not necessarily similar to that of people who show us how the lives of ordinary individuals and families can come undone by events beyond their control as would happen in a novel. Ordinary people are those who keep striving for human dignity in their ordinary lives and who are forced to keep struggling against exploitation and suppression on a global scale by the contemporary ruling class. Protecting the security and livelihoods of the ordinary people on the Earth has universal significance for global society. The spirit of the constitution means taking the position of such universalism.

There is another necessary condition for the constitution's universalism to be attained: Continue fighting the constitutional struggle on the level of various problems both in Japan and abroad, and make those in

power engage in politics which observes the constitution. In this struggle the populace's power of democracy combines with the rightness of constitutionalism which restricts those in power.

What about in relation to other countries? To begin with, it is important for Japan's government and citizens to have an awareness for abiding by the constitution, which is an international pledge. This awareness is vital for the "peace-loving peoples of the world" who are mentioned in Japan's constitution and who take a stance of abiding by the spirit of the UN Charter among nations, to carry out "actions which foster mutual trust," by which the people seek fairness and justice.[21] It is especially important that Japan have an awareness of its wartime and postwar responsibility toward the Asia-Pacific region — especially the peoples of China and the Korean peninsula and other countries, and that it discharge its postwar responsibility to the hibakusha and "comfort women," whom it has neglected. For example, having developed and implemented a strategy and policy for the "East Asia Community," Japan could carry out the intent of Article 9's second paragraph, i.e., disarmament and total demilitarization, and renouncing the state's right of belligerency. In global society the widening gap between rich and poor is making nominal freedom meaningless, and the majority of people in society suffer discrimination and deepening poverty. The universalism of Article 9 has growing importance in global society as a fundamental guide to show the direction for solving livelihood problems of people around the world.

Footnotes

[1] June 29, 2006, "Joint Statement: The Japan-U.S. Alliance of the New Century, Visit by Japanese Prime Minister Koizumi" ; February 19, 2005, "Joint Statement of the U.S.-Japan Security Consultative Committee" ; and Szechenyi, Nicholas. "A Turning Point for Japan's Self-Defense Forces." *The Washington Quarterly* , Vol. 29, No. 4 (Autumn 2006): 139–150. See also: Matsuo, Takashi, "Declaration that the Alliance Transformation Has Started" and "Structure of the US-Japan Global Alliance, " which are chapters 9 and 10, respectively, of *Transformation of the Alliance: The Near Future of the US-Japan Military System*. Nihon Hyoronsha, pp. 113-138 (2008) (in Japanese).

[2] Yamada, Mitsuru, et al., eds. *A New Theory on the Structure of Peace*. Akashi Shobo, 2005 (in Japanese), and Japan Association of United Nations Studies, ed., *United Nations Research*, No. 8. Kokusai Shoin, 2007 (in Japanese). See also: Report of the High-level Panel on Threats, Challenges and Change, "A more secure world: Our shared responsibility," paragraph 264, 2004 ; United Nations Security Council Document 458, Report of the Peacebuilding Commission on its first session on 25 July 2007.

[3] In relation to this issue see also the December 18, 1956 speech in the UN by then Minister of Foreign Affairs Kaoru Shigemitsu. In this speech he stated that the intent of the Preamble of Japan's constitution is in accord with the purposes and principles of the UN Charter, and he used expressions which hinted that there were limits to the extent that Japan could discharge its obligation by itself. Specifically, the declaration that Japan submitted to the UN in June 1952 when applying for membership included this passage: "The Government of Japan is eager to apply for membership in the United Nations therefore and will undertake to fulfill the obligations of membership in the Organization by all means at its disposal." The phrase "by all means at its disposal" meant that Japan would be limited to non-military means due to the restrictions imposed by Article 9 of the constitution.

[4] Article 4 of the law contains provisions for this basic plan.

[5] The September 15, 2007 (No. 288) issue of Nuclear Weapons and Nuclear Testing Monitor reported, "A US military vessel that had been fueled by a Maritime SDF vessel headed straight for Iraq."

[6] Another argument is that which claims "the complicity of universalism and specialism." See, Sakai, Naoki. "Modern Criticism." *Gendai Shiso*, December 1985, and "Hope and the Constitution." *The Asia-Pacific War*, Vol. 8, Iwanami Shoten (2006): 380-382 (both in Japanese).

[7] The bill was approved by the Cabinet on October 17, 2007 and given the short title "New Antiterrorism Special Measures Law."

[8] See, Okubo, Shiro, Hiroshi Ueda, and Yoshiro Matsui, eds., *Lectures on Human Security and International Organized Crime*. 4 vols. Nihon Hyoronsha, 2007 (in Japanese).

[9] Ozawa, Ichiro. *Blueprint for a New Japan: The Rethinking of a Nation*. Tokyo: Kodansha, 1994.

[10] See, Kusano, Atsushi. "New Horizons for Participation in Peacekeeping Operations." In *Gaiko Forum* Editorial Department, *Security in the New Era of War*. Toshishuppan, 2002: 218-219 (in Japanese).

[11] See, Maruyama, Masao, *Thought and Behavior in Modern Japanese Politics*, Expanded edition, Edited by Ivan Morris, London & New York: Oxford University Press, 1969.

[12] See, Urata, Kenji, ed. *Constitutionalism, Democracy, and Pacifism*. Sanseido, 2001: 40-45 (in Japanese).

[13] See, Katsumata, Makoto, ed. *Globalization and Human Security*. Nihon Keizai Hyoronsha, 2001 (in Japanese).

[14] As a work which expounds upon the natural law thought represented in Catholicism, see, for example: Messner, Johannes. *Das Naturrecht, Handbuch der Gesellschaftsethik, Statsethik und Wirthschaftsethik*, 6. Aufl. Tyrolia Verlag, 1966.

[15] Mushakoji, Kinhide. "Trends in 21st-Century States and International Society, and the Japanese constitution." In *Japan Institute of constitutional Law*, ed. *A Multifaceted Assessment of the Japanese constitution*. Nihon Hyoronsha, 2006: 228 (in Japanese).

[16] The US monopoly over nuclear weapons was the actual foundation of the allies' rule of law system that was based on the UN Charter. The "real world" is the framework for perceiving this rule system ontologically.

[17] Specialism here is assumed to be counterposed against universalism, but the logical provisions are still uncertain. However, it is supposed that this has nothing to do with the concept of specialization as a

reverse operation for generalization (Generalisierung). See: Husserl, Edmund G. A. *Ideen zu einer reinen Phanomenologie und phanomenologischen Philosophie*. Halle a.d.S.: M. Niemeyer, 1928. 3. unveränderter Abdr.

[18] One can see an example of this combination in the Basic Policy for National Defense (approved by the Cabinet on May 20, 1957). While the second and third paragraphs set forth the normative meaning of the Japanese constitution, the fourth paragraph states, “Until the future time that the United Nations becomes able to effectively stop invasions from outside, the basis for dealing with invasions shall be the security system with the United States.”

[19] One thing to note carefully here is the work being done in the UN for a new “Peacebuilding Commission.” From that, with regard to war and conflict in the post-Cold War world, one can see how the SDF might be used in global projects from preventing conflicts to postwar reconstruction. Report of the Peacebuilding Commission on its first session (June 2006–June 2007), A/62/137–S/2007/458 [PDF, 117 KB].

[20] See, Mizushima, Asaho. *Will This Country Participate in United Nations Wars?* Kobunken, 1999: 247-275 (in Japanese); Miyoshi, Ayako, et al., eds. *Peace, Human Rights, and NGOs*. Shinhyoron, 2004 (in Japanese); Ito, Akira. *Peace Studies in the Era of Crises*. Horitsu Bunkasha, 2006 (in Japanese); Rodgers, Paul. *Losing Control: Global Security in the Twenty-First Century*. Pluto Press, 2002.

[21] Here I will not go into the matter of actors, specifically, how we conceive “the people” and what is these days called the “multitude.” See: Hardt, Michael and Antonio Negri. *Empire*. Cambridge, Mass.: Harvard University Press, 2000.

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Manuel R. Torres Soriano. Terrorism and the Mass Media after Al Qaeda: A Change of Course? *Athena Intelligence Journal* Vol. 3, No 1, (2008), pp. 1-20.

Reviewed by Jessica Baran

Soriano begins his exploration of the relationship between media and terrorism with the words of Marshall McLuhan, whose statement that “without communication, terrorism would not exist” is taken by Soriano to be “relatively precocious”, but essentially correct. Though terrorism existed prior to mass media, Soriano argues that it was always about making a public statement, and that new technologies have simply allowed the dissemination of terrorist messages to reach a broader audience with a more concise message. It seems fair to say that there exists a mutually beneficial relationship between terrorists and the media of today.

According to Brigitte Nacos, one of the scholars that has most studied this issue, terrorists commit violent acts looking for three universal objectives: to get attention; to gain recognition; and to obtain a certain degree of respect and legitimacy. These objectives are attainable for those individuals who are capable of receiving the most media coverage. However these universal objectives seem too simplistic in regards to the complexity of terrorism and the media. These objectives can be achieved outside of violent acts, thus there must be reference to violence and the symbiotic relationship between media and terrorists.

Modern terrorism and TV logic

This article first focuses on the TV media. It argues that this media relies heavily on the visuals it can collect for a story and the less sensational the visuals for the story the less important the story becomes to the television news media. Terrorists carefully select the places in which they carry out their attacks in order to provide the best media coverage. The obvious example of this is the 9/11 attacks in New York, where media of all sorts were able to cover the story immediately. Not only were the media able to capture this incredibly visual attack, but the people who were in New York, residents and tourists alike, were also able to document this event with sensational pictures, videos and personal stories. An important thing to keep in mind here, that Soriano does not mention, is that Al Qaeda has never officially taken responsibility for the 9/11 terrorist attacks, though it is the common belief that this organization is behind the attacks. The simple action of not taking responsibility may indeed go against an argument that television coverage of this event was an important motive.

The article goes on to explain that terrorists also recognize that media is a fast paced industry where interest in stories is lost quickly. There needs to be a certain novelty behind stories that are covered, so it is argued that this influences what the next terrorist act may be. There is trust in what one can see, so the television media automatically receive a level of trust that other media do not. However, being that the story is visual, a story that is occurring in the world with no visuals to go along with it could receive little to no coverage by the television news media, even if it is a story that could potentially have an influence on other important regions.

Soriano goes on to examine the television media's strong tendency to "personify" the stories they cover. Making their stories more relatable to the general public by humanizing the people involved within the news story creates the ability for the watcher to become more personally involved, even if they are buying into a cliché.

It can be ascertained, then, that the better the terrorist organization understands television media, the more coverage they will receive. One would have to agree with Soriano that some terrorists are well aware of how the media works, and thus use this knowledge in the creation of their terrorist attacks. Soriano also points out that, because of the nature of television news media being short (90 second) stories, it is impossible to tell the whole story and give context to the events unravelling before the viewer's eyes. The television media does not go into any real detail, thus simplifying the story for the viewer to the point that it has little to do with the actual events. This has great implications for society and social pressure on the government, though one would have to assume this is not beneficial to the terrorist organization. The terrorist organization would receive massive media coverage for a visual, easy to cover attack, however, this does not mean that the viewers would be aware of why the attack occurred or the ultimate goals of the terrorist organization. This is a complex situation in which the television media are both beneficial and detrimental to the cause of the terrorist.

Categorizing the relationship between terrorists and the media

Soriano examines the relationship between terrorists and the media, suggesting that there are several different levels of relationship. He cites Michael Wieviorka, a French sociologist, who splits these relationships into four different levels: Complete Indifference, where terrorists complete their act of terror with no regard to media coverage; Relative Indifference, in which terrorists complete their act of terror with an understanding that media could assist their cause, but are still uninterested in media coverage; A Media-Oriented strategy, in which terrorist are aware of and utilize the media to further their message; and Complete Breakaway, in which the media is seen as the enemy and the terrorists will respond to the media in the same way they respond to any enemy.

Soriano points out that terrorists can have a combination of several of these views, or alternate between them. One should also keep the role of the government in terms of the terrorist-media relationship in mind (though Soriano later touches on this). As the media are responsible for reporting truth to the public, they are also responsible to the government and public alike to ensure national security, and some might even say the promotion of nationalism. So within this terrorist-media relationship the media will never be able to give a full and fair report, as access to the terrorists for information and interviews is extremely limited.

The jihadist perception of the media

Soriano places Al Qaeda in the last two of Wieviorka's levels of relationship; Media Oriented and Complete Breakaway. In this regard he argues that though Al Qaeda realizes that the media furthers their message, they also regard the media as the enemy when this is not done or distorted. He goes on to say this view of Western media as the enemy is perpetuated through their bias reporting and ignorance to the motivations behind Al Qaeda's actions. However, it is likely the case that Western

media understands the motivations behind Al Qaeda's actions, but are limited in their ability to give a full report in regards to this due to time limitations and government pressure. Soriano insinuates that it is easier and more sensational for Western media to refer to terrorists as madmen, and for Al Qaeda to insist that the Western media lies about the jihadist movement and motivations, and furthers this by adding that these lies end not at the media, but exist also at the government level. Certainly, the power of the media is to promote some perspectives at the expense of others, and governments know how to use this to their advantage. It is also true, however, that there are fundamental limitations in broadcasting a balanced story, and more emphasis will naturally be placed on the local impact of a story because this is what the audience is most concerned with.

Soriano gives some attention to the fact that Al Qaeda and jihad movement believe the West is using media as a tool of war by lying about the motivations behind both the jihad movement and the motivation of Western governments. He argues this in four points, from what Soriano tells us is the jihad point of view: the media diverts the attention of the Muslim population by focussing on issues that are small of little importance considering the bigger picture; the media exaggerate the military strength of the west; the media distorts the Arab image and motivation to that of madmen; and the media promotes Western aggression against Islam thus creating a scenario in which American military violence against Al Qaeda is widely accepted. One could go even further to say that the violence against Muslims and Arabs that the US media helps to rationalize extends beyond military violence, and includes person to person or person to property civilian violence as well.

As the article points out, however, this goes both ways: as the West uses the media as a war-tool, so does Al Qaeda. To this end, Soriano discusses the example of the Al Qaeda's 1996 "Declaration of War against the United States" – which received almost no coverage or reaction from the West – and Osama Bin Laden's "World Islamic Front for Jihad Against Jews and Crusaders" which was declared just two years later and received much more world media coverage. The difference being Osama Bin Laden's devotion to being in the news media in the two years leading up to this second declaration. However, even within the second declaration the television media coverage of this was minute in comparison to any violent terrorist attacks.

Al Jazeera: The turning point

A significant portion of Soriano's argument focuses on Al Jazeera, the Arabic satellite television station created by the monarchy in Qatar in order to provide a more independent Arab point of view, differing from other Arab stations that are heavily controlled by their respective governments. Al Jazeera follows a more Western framework for its programming, and employs respected reporters from around the world. The 9/11 terrorist attack increased Al Jazeera's popularity, and made way for the station to become spokespeople for Bin Laden. Though the station presented both the Western and the Taliban sides of the conflict, by giving both sides an equal footing, Bin Laden finally had a television media outlet in which he had control over the message being sent to the public. However this is not necessarily true, as Al Jazeera would never agree that Bin Laden had control over the message being sent to the public, insisting instead that they are dedicated to presenting both sides equally. Also, it is known that Al Jazeera has chosen not to air footage of Bin Laden, though one can not be sure of their motivation.

Outside of the Bin Laden point of view, Soriano points out that Al Jazeera was able to focus on the victims of the American offensive, both in Afghanistan and Iraq. He illustrates the economic benefit to showing the Al Qaeda viewpoint, as these videos have proven to be lucrative for the station. Though there is discrepancy around the loyalty that Al Jazeera has for Al Qaeda, and whether or not they act as direct mouthpiece for Osama Bin Laden, showing his videos sans editing or not, it is clear there is more sympathy in Al Jazeera's programming to the Iraqi militants, Palestine and the Muslim world. Soriano's claim that Al Jazeera now plays an incredibly important role in the dissemination of the Al Qaeda message is difficult to verify, and Soriano rests this part of his argument on conjecture. Though Al Jazeera is referred to as "spokespeople" within this article, this may be implying too much of a connection between Al Jazeera and Al Qaeda without supporting evidence.

The Internet and approaching the media indirectly

Though the internet offers mobility and global access, Soriano first explains the complex way in which Al Qaeda utilizes this new technology. In order to maintain a secure location, it was revealed in 2005 that Al Qaeda uses a network of messengers who travel 70 miles in a period of up to 12 weeks to reach their final destination of Islamabad, where, though usually physically brought to television stations, the message may also be sent via the internet. US intelligence reportedly broke through this secure network in order to carry out the attack of Damadola in 2006, which apparently led to the deaths of some key Al Qaeda members. Soriano insinuates that this attack may have pushed Al Qaeda to rely more heavily on the internet as a medium by which they reach the media. The internet is not only safe and immediate, but allows Al Qaeda to speak directly to their audience with an untainted message. Soriano also states that because the internet acts as a direct media with no filter for the language, message or imagery used, this may push television to show visuals that they would have shied away from in the past. The insightful point here is that new communication technologies are pushing the boundaries of what television audiences are used to viewing.

Soriano does not touch on the use of the internet for directly rallying new members of Al Qaeda or radicalizing Muslim supporters, however. His focus is mainly on the use of internet to access the mass media. Though the internet is used for video distribution, it is also used to disseminate writings and allows for members to publicly blog their opinions. Also, it allows for two way communication between the audience and the terrorist. There is much more complexity to internet usage than what is represented within this article.

Conclusions

Soriano concludes that Al Qaeda has evolved its media techniques along with the evolving media and technological landscape of the world today. Though Western media had traditionally dominated over public opinion, this is changing as new mediums such as Al Jazeera and the internet offer new options for Al Qaeda to speak to the public. With strong ties to Al Jazeera and the seemingly low risk access to the internet, Al Qaeda is moving forward with a new media strategy that gives them access to an "unlimited public". This is all very true, but this article only skims the surface of the complexity of this issue. The symbiotic relationship between the media and terrorists is multi-layered and, though this

case study addresses some of the key elements, there is much more to consider in terms of the media being a tool of those who wish to manipulate audiences into supporting violence and terror.

About the Author

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James Garvey. *The Ethics of Climate Change: right and wrong in a warming world*. London: Continuum International Publishing Group, 2008. 179 pages.

Reviewed by David Chalmers

Although public concern about human-induced climate change has increased remarkably in the past few years, the greenhouse gas emissions fueling the problem have too. This apparent paradox begs explanation, and the explanation cannot be simply that the problem is unsolvable—although not always cheap, solutions clearly do exist. So why are greenhouse gas emissions still rising, and are current emission levels morally defensible? In a timely book on the ethics of climate change, James Garvey seeks to provide answers to those questions through the lens of moral philosophy. He argues that scientific evidence, although crucial, cannot on its own bring about action and that individual and governmental responses to the problem are primarily a function of values. The book's core message—that governmental action to transform human use of the atmosphere is morally imperative—is both well argued and compelling. This central message is convincing enough for the book to have real potential as a call to action, and on that basis it deserves widespread readership. At the same time and precisely because the book's essential point is so important to consider, it is unfortunate that Mr. Garvey's state-centric approach, his tendency to oversimplify solutions and his informal, almost patronizing writing style distract and detract from the book's overall effectiveness.

Mr. Garvey starts with the relevant science underpinning his message and analysis. The effectiveness with which he lays out the most important scientific facts about climate change in an easy to understand yet impactful manner is impressive. Given the fact that few full-fledged climate change skeptics are likely to read the book, Mr. Garvey probably spends more time convincing the reader that humans are in fact changing the planet's climate than is necessary, but at least he does so well. He next describes the likely impacts of climate change and, crucially, explains why its impact will disproportionately affect the poor. He also persuasively demonstrates that uncertainties about climate sensitivity and precise impacts, while very real, ought to be seen as cause for more action, not less, and that the choices humans make now are the key determinant of future climatic changes.

In the book's second chapter, Mr. Garvey temporarily leaves climate change behind and turns his attention to morality as such. The focus here is proving why having morals and acting upon them is important. This is done effectively although the arguments sometimes comes across as unnecessary and even a bit patronizing—it is hard to imagine that many readers are unaware of the fact that morals should be built upon solid justifications and acted upon. The explanations of consistency, utilitarianism, and Kant's conception of right and wrong are interesting and fairly pertinent to following sections. The

discussion of environmental ethics, on the other hand, is not formulated in a way that is particularly relevant to the main argument and probably should have been either left out or better linked to the issue at hand.

Mr. Garvey next turns to the question of responsibility. A big part of the reason the human response to climate change has so far been morally inadequate, Mr. Garvey argues, is that our usual value systems are ill-equipped to deal with the spatial and temporal complexities of the problem. Meaningful change will require collective action on an unprecedented scale, and this will require that responsibility is effectively assigned and assumed. Mr. Garvey convincingly argues that because their cumulative emissions are many times greater than those of developing countries, the bulk of the moral responsibility for harm caused rests with developed countries. Equally convincing is his argument that developed countries have the most responsibility to act now, not just because they have caused most of the problem, but also because they generally have greater financial and technical capacity to act.

The book next looks at the main arguments for not doing anything about climate change—uncertainty, costs, technological rescue, and waiting for others to act—and systematically demonstrates that they are not only unpersuasive but morally reckless. The arguments in this chapter, the book's strongest, are both carefully crafted and strongly supported by scientific evidence. In regard to geo-engineering, Mr. Garvey rightly worries that wishful thinking about the dubious promise of geo-engineering options could delay the emission reductions so desperately needed. With respect to the morality of waiting for others to act, Mr. Garvey effectively utilizes the doublethink made famous in *Catch 22* to illustrate the twisted logic that has characterized the Bush administration's climate change stance. The quote is worth repeating:

“...Let somebody else get killed.”

“But suppose everybody on our side felt that way.”

“Then I'd certainly be a damned fool to feel any other way. Wouldn't I.”

The analogy is, of course, imperfect. In *Catch 22*, Yossarian had not caused the war, nor did he personally benefit by fighting. By contrast, the U.S. is more responsible for climate change than any other country and would in fact benefit by acting. There are good moral reasons that the U.S. and other developed countries ought to act first but as Mr. Garvey correctly points out there are good pragmatic ones as well—to not do so would ultimately be self-defeating.

Having established the moral inadequacy of arguments for inaction, Mr. Garvey turns his sights to what changes are morally imperative and draws connections between the moral implications of climate change and the scope for real-world governmental action. He suggests three criteria that any morally adequate proposal must take into account—historical responsibility, present capacities, and sustainability—and rightly points to contraction and convergence, a framework that would aim for total global emissions to contract as per capita emissions broadly converge, as a morally attractive emission reduction strategy. Although the chapter was on the whole among the book's most effective and

pragmatic, Mr. Garvey's talk of sanctions, while well intentioned, comes across as punitive and counter-productive in light of geo-political reality.

Having focused most of the book on the moral implications of climate change for governments, Mr. Garvey focuses his last chapter on the need for individual action. He points out that the majority of readers emit many more greenhouse gases than most other people on the planet and then refutes ten common "excuses for inaction." He does this effectively but fails to suggest any specific lifestyle changes individuals can make that might be particularly effective. The chapter would have been stronger if he had, simply because some sorts of choices—what one eats, for instance—are much more impactful than others, and that has moral implications. More importantly, he barely explores the extent to which individuals can influence governmental policy. After having concentrated intently on the role of states, this is a curious and unfortunate omission. Mr. Garvey could have been much more explicit about just how important systemic solutions such as a carbon price are, and he could have highlighted the victories concerned citizens have already won. By not drawing those connections, by creating the illusion that government functions mostly in a vacuum, he misses a big opportunity.

In the same way that the creation of an overly rigid divide between individuals and governments weakened Mr. Garvey's message, so too did a tendency to oversimplify both the problem and solutions. Mr. Garvey is absolutely right to question the morality of the current use of the planet's carbon sinks but wrong to pay so little attention to the risks of perfect equality of emissions as a better alternative. He only very briefly engages the Rawlsian view that an unequal distribution of resources is acceptable if and when it helps the worst-off, yet the complex interconnections between economies, carbon emissions, and well-being are neither simply understood nor easily unraveled. In light of that complexity, the Rawlsian perspective should have been afforded more consideration.

That developed countries have benefited tremendously and inequitably from their carbon emissions, that climate change will most hurt developing countries, and that this is morally wrong is beyond doubt. It does not follow that carbon emissions, wherever emitted, are always or solely a bad thing. It does follow that emissions urgently need to be substantially reduced in ways that hurt as few people as possible, benefit as many people as possible, and decrease global inequality. This can be done, but it will require an acknowledgment of complexity and interconnection that was sometimes lacking in Mr. Garvey's analysis. The book is primarily rooted in philosophy and could not be expected to address detailed policy options. It could have and should have, however, further pursued the idea that it is not enough just to reduce emissions—they must be reduced intelligently, equitably, and efficiently. If they are not, carbon reduction efforts risk harming many more people than they help, and that would hardly be morally defensible.

Mr. Garvey also somewhat oversimplifies the relationship between climate change and the full extent of its possible human impacts. At one point he states that "The moral weight of all those miserable future lives can seem crushing." This is not particularly helpful. Yes, some future lives will in some ways be made miserable by climate change and yes that moral burden can seem crushing. Yet this sort of statement seems somehow too absolutist, and it ignores the potential that climate change could conceivably lead to a more equitable world where nationalism becomes less potent and states cooperate more. That is not to say that climate change will not cause harm; it undoubtedly will. It is to

say that solutions should aim at least as much toward creating opportunities as they do toward preventing harm, and that they should focus at least as much on maximizing the potential for climate change-related peacemaking as they do on minimizing climate change-related conflict. Whether climate change will cause more peace or more conflict is entirely dependent upon human valuation and reaction, and it could go either way.

A final criticism of the book relates to its tone. At one point Mr. Garvey informs the reader that he is “not willing to do more than dip my toe into the literature on such things as denial, dissociation, repression, and the like...” but to “feel free to pursue it if you find it interesting.” At another point the reader is told that “It seems likely that you have more brains than most people on the planet” and at another asked to “Think less about rum and more about greenhouse gases.” Some readers may find these sorts of comments, which are pervasive, engaging and friendly; others might find them a bit patronizing. It will be unfortunate if readers’ receptiveness to Mr. Garvey’s message is much diminished by his tone, which this reviewer found a bit inappropriate for the subject matter.

Despite Mr. Garvey’s sometimes patronizing tone and tendency to oversimplify, his central message that effective, equitable climate change solutions are morally imperative is both compellingly argued and profoundly important. Until something better comes along, this book should be recommended to friends and colleagues as well as required reading for university courses on ethics. The more today’s students engage with and act upon the moral implications of climate change, the better off tomorrow’s students are likely to be.

About the Author

Mr. Chalmers is a dual-degree Masters candidate at American University and the United Nations-mandated University for Peace in Costa Rica. His research focuses on the interrelationship between climate change and development.

Sen, A. (2008). Violence, identity and poverty. *Journal of Peace Research*, 45(1), 5-15.

Reviewed by Vicheth Sen

Amartya Sen’s “Violence, Identity and Poverty” (2008) is a readable article which provides a critical analysis of two approaches to understanding the causes of violence in today’s world. One is the “civilizational approach” and the other is the “political economy approach.” The former, popularized by Samuel Huntington, seeks to explain violence as a result of a “clash of civilizations”, whilst the latter points to “poverty and inequality” as the main culprit. By reading this article, one will gain a better understanding of these two approaches to explaining the causes of violence in the present global society and of the strengths and weaknesses of each. Because of the highly complex nature of violence, however, neither approach on its own is sufficient to fully explain why violence is a main feature of our

lives; instead, both need to be clearly understood to treat the causes of violence in the contemporary world.

The Civilizational Approach

The “civilizational approach” to explaining violent conflict stems from Huntington’s “clash of civilizations” thesis, in which the world is conceived as being composed of several large and hostile civilizational blocks, each with their own histories and values. While this approach has already been thoroughly criticized by other scholars, including Edward Said, Sen offers some new insights worthy of consideration as well. First, “civilizations” are defined so narrowly that they only cover religions (p. 5) – the idea being that because of different characteristics and philosophical principles inherent to each religion, they tend to “clash with each other” (p. 6), and violence ensues. Defined this way, different civilizations are merely referred to as different religions such as Islam, Christianity, Hinduism, Buddhism, and so on, a fundamental flaw which privileges religious institutions above other aspects which may be more relevant to understanding conflict, including economic and political arrangements. Sen is right, therefore, in arguing that the definition of civilizations in this analysis is too limited.

Another factor which makes the civilizational approach so limiting is the “oddly artificial view of history” on which the analysis is based (p. 6). This is a misunderstanding of how civilizations are formed. According to this view, Sen explains, civilizations have had virtually no contact with one another and have developed in isolation, and when they face each other, they tend to clash with each other because of these isolated geneses. However, this view seems to hold little truth in the real history. No civilization has grown without extensive interaction with or influence from one or more other civilizations. Certainly, there have been significant “movements of ideas and influences across the borders of countries” in a wide range of areas (p. 6), without which these supposedly “distinct” civilizations could not have developed the way they did.

Another limitation of the civilizational approach is the belief that human beings tend to have hostile attitudes toward people from other cultures or “foreigners.” This idea seems to overlook a great many works on history by many world-renowned historians. For thousands of years, Sen argues, many historical authors have written about different countries in the world with a view to promoting an appreciation of those countries and their respective cultures and to “reducing prejudice and tension” (p. 6). Although Sen’s argument on this point is interesting, it is not altogether convincing, as there are times when certain differing values are undeniably in conflict with each other, and the fact that “prejudice and tension” are so rampant across human cultures that writers and educators so often try to reduce them seems to actually support the civilizational view.

More convincing is Sen’s treatment of identities within the civilizational approach, which necessarily reduces the complexity and multiplicity of individual identities. Sen explains that this perception probably results from the use of a “solitarist approach” to understanding the identity of human beings, limiting each individual to a single (and narrowly understood) “civilization”. In reality, however, no individual has only a single identity; rather, each person belongs to many different groups. Each group ascribes our status and gives us another dimension of our identities; moreover, we have different

identities at different times or we may have two or more identities at the same time. As Sen puts it, “in our daily lives, we see ourselves as members of a variety of groups—we belong to all of them” (p. 6).

This part of Sen’s analysis could have been even stronger, however, had he emphasized the point that not only individuals have multiple identities, but so do cultures or civilizations. As Edward Said has pointed out, this plurality within cultures is not some insignificant point that can be ignored; rather, it represents the “major contest in most modern cultures” (Said, 2001). Indeed, the internal struggle over “the definition or interpretation of each culture”, the dissent and deviance within each society, is what drives the evolution of each culture or civilization (Said, 2001). Sen does make this point earlier, while arguing that civilizations are more than religions, but further emphasis during the discussion of identities would have been well advised.

The Political Economy Approach

The other approach discussed in Sen’s article is the “political economy approach.” This approach claims that today’s global violence results from “poverty and inequality” (p. 7). A number of examples and studies from history have provided evidence concerning this causal relationship. As indicated by Sen, the violence in such countries as Afghanistan, Sudan, Somalia, Haiti, and even France has been evoked to prove that social and economic inequality has resulted in “bloody rebellion” (p. 8) or violence. This is an argument which is favored by many social scientists (p. 8). This poverty-violence relationship, Sen explains, has resulted in the development of policies to alleviate poverty for the sake of getting rid of violence. Poverty eradication has been supported by advocacy groups who see this as the best way to end all violence. For this reason, economic development and poverty removal have been at the forefront of the development agendas in many poor countries. However, if this causal linkage between poverty and violence is proved to be groundless, according to Sen, then social advocacy for poverty alleviation will be largely discredited. Although poverty itself can be considered a form of violence (Galtung, 1969), Sen’s suggestion that anti-poverty advocacy groups should base their argument on moral reasoning rather than on ending political violence and social disorders is well taken.

Sen argues that claiming that poverty is responsible for violence is an “oversimplification of empirical connections that are far from universal” (p. 9). In fact, given the complexity of the world we live in, this causal relationship is not that simple. Sen states that there are many other factors, such as “political, social and cultural circumstances,” (p. 9) which play a significant role in this relationship. Calcutta and South Africa are two of the instances Sen uses in his article to support his argument. Calcutta, one of the poorest cities in India, and therefore in the world, has an extremely low rate of crime and violence, an example which shows that poverty does not automatically lead to violence. In contrast, South Africa is relatively better off, showing that social, political and cultural factors are the major causes of violent crime.

Sen comes to a conclusion that neither approach—the clash of civilizations, nor the political economy—is sufficient to explain the causes of violence and the absence of peace in today’s world. Violence is a highly complex and multi-faceted issue; therefore, only by looking at the issue from different perspectives will we have a better image of this complex picture. In brief, Sen summarizes the main points that he believes should to be taken into serious consideration when trying to understand the

causes of violence. First, social, cultural and economic factors have to be understood as an integrated picture, because each does not work in isolation to cause violence. Next, a better understanding of the multiplicity of identities can result in the reduction of violence. Third, not only religions but also other divisions can lead to violence. Last, poverty is more often a cause of violence when it is linked with another social inequality such as racial inequality, and should be reduced for other reasons too.

Everything being considered, I highly recommend this article. It is an important contribution to our understanding of the highly complex nature of violence and provides us with a pair of different lenses with which to zoom in on the causes of violence in contemporary society. While there are certainly more explanations of conflict to be considered beyond these two, Sen's analysis is clear and relevant, making this article a good read for those who are taking courses in peace and conflict studies as well as those who are working in this field.

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