GLOBAL CRISIS LOCAL VOICES

EDITED BY GABRIELE PIAZZA

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GLOBAL CRISIS, LOCAL VOICES

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A special thank you to Farhang Morady for creating an organisation that provides an encouraging and safe community, creating a diverse number of opportunities to all students and individuals involved. Without you, none of this would be possible.

We also want to thank and congratulate all the authors featured within the journal for all your hard work and incredible ideas. On behalf of the whole editorial team, it has been a pleasure to work with you and we wish you success in all your future endeavours.

Finally, we would like to thank everyone on the editorial team for their hard work and dedication to this project. Thank you for your perseverance and excellent team work. We look forward to seeing what you achieve next year, within DEN and more specifically the journal.

FOREWORD

Dr Peter Bonfield OBE FREng
Vice-Chancellor and President
University of Westminster

We are very proud to host and support the Democratic Education Network (DEN) here at the University of Westminster. Our student-led DEN brings together students, academics, and local communities from London and around the world to engage together on topics that have great meaning in the world. The methodology for DEN is enriching by enabling networking, debate, analysis, publishing of papers and sharing of perspectives. DEN catalyses passion, energy and exchanges of views and information in young people that is respectful, progressive, compassionate and underpinned by strong ethics and responsibility. All very well aligned with our core values here at Westminster.

These proceedings bring together key topics such as democracy ideology, human rights, geopolitics, climate change, China and its development with Africa, and links to movements beyond academia and more. I encourage you to read these publications to catalyse views in you that stimulates great debate that helps you become part of the compassionate, progressive and responsible movement of young people that will help overcome injustices in the world and make the world a better place.

Very well done, congratulation and my thanks to all those involved in producing the proceedings and to all of you in DEN. You are an inspirational to us all.

INTRODUCTION

Megan Jessie Asplin and Kajsa Hallberg

There has been a shift in the political climate in the last few years, which has been seen in the rise of populist rhetoric throughout the world. In the UK specifically, this has taken the form of the Brexit referendum and the events that followed, something that has given rise to an extensive debate about democracy and sovereignty. The slogan "Take Back Control" represents the growing anti-globalist movement and the desire to challenge the power of undemocratic international institutions. This sentiment is not exclusive to the UK or the West but mirrors a global trend. All around the world, there has been a growing emphasis on local communities and their ability to make themselves heard in discussions about global issues. These issues include, but are not exclusive to, climate change, human rights and warfare. Despite these seeming to be problems to be solved on the international arena, the consequences will be suffered by the people.

This was the backdrop upon which the 2018 Conference "Global Crisis, Local Voices" was set; organised by student members of Democratic Education Network. This book is a collection of the key papers presented there by undergraduate and postgraduate students from the University of Westminster as well as other institutions around the world. It continues the discussion that started with the 2017 Conference and first International Student Journal of Political Economy called "The End of The Global?".

The current political discourse has brought discussions about democracy to the forefront. This is not exclusively about democracy within institutions, but how it affects the ordinary people in their everyday life as well. There is a correlation between the normalisation of democratisation and a rising instability that has occurred throughout the world, particularly in the Middle East region. This is where we see the interplay between democracy, state ideology and sovereignty on the international stage. These are the themes that the papers within the first chapter explores.

In times of conflict, **national sovereignty and security are often valued above the individuals and their human rights**. The second chapter of this book explores this within the context of different regions. Human rights are indivisible, meaning that everyone is entitled to them without discrimination. Protecting these rights may require numerous actions, not only legal, but also through the improvement of services such as education.

In times of globalisation, the adaptability of state foreign policy is crucial to successful diplomacy. This is because **the state must counterbalance internal as well as external pressure in dealing with questions such as immigration, conflict and international treaties**. Ever since 2013 and the European refugee crisis, migration and conflict have been at the heart of the international discourse. Therefore, the migration crises poses a challenge to foreign as well immigration policy for all actors involved. As seen in many cases, conflict, whilst most detrimental to the country and people in question, has been proven to have global effect in a contemporary world. Conflict can be caused by power struggles within as well as outside a state. The third chapter of this journal explores this in detail, focusing on specific countries and regions, such as the UK, Turkey, Qatar and Yemen.

Arguably, **the biggest threat to humanity and therefore the most crucial debate of the international community today is that of climate change**. The consequences of climate change are often left for the local communities to deal with, despite it being caused by unsustainable development pursued by global powers and corporations in

the first place. Due to the neglect of international actors, local communities such as New Orleans have and will continue to suffer the consequences. This is what one of the papers in this chapter focuses on, whilst the other explores the use of music to highlight the issues surrounding climate change.

China's rise as a global superpower, has long been awaited. With their newfound economic prosperity and power, Chinese businesses have started investing in other emerging economies, specifically in Africa. Chapter five asks the following question: **is China's approach to development imperialistic?**

Finally, the book goes beyond traditional academic methods in its last chapter. This includes an investigation into the '#Metoo movement, which is presented in the form of a video at the conference in May 2018. The final articles of the book are the experiences of students on their trip to Vietnam. This field trip was part of a level five module offered by the School of Social Sciences at the University of Westminster. By travelling the world, the students have gained valuable insight and experience of **how global politics and international relations manifest and allows them to apply their learning in a real-world context.**

1

RETHINKING DEMOCRATIC APPROACHES TO THE MARKETISATION OF HIGHER EDUCATION

Farhang Morady

Introduction

Since the 1990s, Higher Education (HE) experienced considerable transition, especially in developing nations, with the number of students studying in Higher Education growing in almost every country. The worldwide completion of post-secondary education in 1970 was 28 million, with a considerable increase to 164.7 million in 2009, and it is forecasted to continue rising to approximately 260 million in 2025 (OECD, 2011). This expansion coincided with the growing influence of the market-driven neoliberalism in HE. As a consequence, instead of education being a public benefit, it is now largely influenced by market-related factors (Ball 2012, Beckmann and Cooper 2013). Universities are led by corporate needs, such as developing students' skills, knowledge, and providing them with competence that will allow them to target the best possible employment opportunities. Thereafter, the educators are challenged with pedagogical[1] approaches whilst considering the directions of the market-driven demand.

This transition is a global phenomenon, wherein economic and political processes have been pre-eminent for both governments and business elites seeking to implement a new strategy of market privatisation, and this has been presented as the best approach in the circumstances. As a result, a whole set of changes has been taking place in Universities, from internationalisation of the curriculum to a focus on employability, student experience, and encouragement of learners to develop their skills.

However, the market-led strategy has been subject to increasing criticism. A 'perfect market' does not exist in any business, including HE. The strategy in many cases has only created inefficiencies in the system, rather than becoming an effective mechanism through which students can increase and develop their knowledge or skills. Whatever the value of marketisation, with the growing number of students and the manifold pressures to meet various targets, the principle that education can be directed to helping students can critically understand the world is now limited. With the growing use of electronic technology and statistics to measure all aspects of what an educator does; education has become a product base rather than a process of developing learners' knowledge, confidence, and motivation. After all, it is very difficult to measure students' confidence-building using only statistics. It takes time and a requires a certain process.

In the last few decades, many HE institutions have squandered money on things like marketing, branding, ostentatious residence halls, and, in many cases, on activities that are of very little use to students (Morady, 2018). Most of these initiatives ignore the basic fact that students have different needs, which can be dependent on their socio-economic backgrounds. Irrespective of the advantages and limitations of the market, these top-down neoliberal approaches have continued to be used as a measure of the well-being of universities. One of the most

1 Pedagogy in here meant as teaching as well as the science of education. The word pedagogue if often meant a teacher that is involved in methods, rules, and science of teaching.

significant challenges faced by new universities[2] has been to support the engagement of their students with matters other than their field of study, rather with their education and learning journey as a whole.

This paper[3] attempts to demonstrate the potential benefits of applying critical pedagogy in HE so as to promote a greater criticality, cooperation, engagement, and vision of a more democratic education. This approach goes beyond the transfer of knowledge and training and aims to develop critical consciousness, awareness of the condition that supports the transformation of the individual, learning environment in the wider society. In doing this, it draws on a case study of applying critical pedagogy in higher education. The Democratic Education Network (DEN) was launched in 2016[4] at the University of Westminster, as an extra-curricular platform to engage, encourage and inspire students to collaborate, collectively, on different projects. This is not a classroom-based model; but rather voluntary work led by the students and supported by alumni and academics who provide guidance with structure, content and procedures both within the University and from external institutions. The learning, in this context, is an active, experiential, and experimental approach based on dialogue, critiquing, exploring, discovery and, above all, a collective rather than individual approach. This is very important given the impact of neo-liberal restructuring in HE. It is also important because most of the courses in Universities are largely didactic. Through using DEN as a case study, we will draw on the students' own experiences to argue that their collaborating with each other supports their engagement and learning.

This paper is divided into two parts: first we develop a theoretical framework by examining the critical pedagogy's assessment of education in general. Then it will apply the empirical data gathered from DEN since 2016 to evaluate the critical pedagogy in the current higher education setting.

Evaluating Critical Pedagogy in Education

Education is a transformational process that involves goals that go beyond the transmission of knowledge and skills. The kind of pedagogy that needs to be employed to support learners has been the subject of debate for decades. For example, should individualism be emphasised at the expense of a collective-based approach to education? How should we devise any of these models; and on what basis? How do any of these models benefit the educator or the learner? Given the current conditions, with the overload of information by the mass and social media, it is important for the educator to identify the right approach and the information required to critically scrutinise and evaluate in an appropriate manner. Through dialogue, the educator could engage learners to identify whose interest the information is serving and how they should react to it. It is in this context that critical pedagogy is better equipped to deal with this; it is a powerful tool to encourage learners to unpack and identify the best outcome. By being reflective, self-critical, and self-motivated, learners could become relatively proficient and able to think critically, make interpretations, analyse concepts and communicate effectively. Critical pedagogy encourages

2 Some of the Universities in the UK were polytechnic until 1992. Initially, they concentrated on Sciences, Maths, Engineering and Technology for generally students with working class background. University of Westminster was also a Polytechnic until 1992.

3 The origin of critical pedagogy goes back to critical theory, essentially has its roots in Hegel's work, Kant's critical philosophy, which was introduced in his book Critique of and Karl Marx's and Fredrik Engels Communist Manifest from 1848 and Capital Volume 1 from 1867 (McKernan, 2013). It has become a teaching approach attempting to help students question and challenge the given domination, the beliefs and practice.

4 DEN evolved from, the initial strategy, the International Community Project (ICP). The project was run for five years in the Department of Politics and International Relations with minimum funding. See https://csdinternationalcommunityproject.wordpress.com/2012/11/29/

intellectual openness, transparency and authentic partnership between the student and teacher. McLaren describes critical pedagogy as:

"A way of thinking about, negotiating, and transforming the relationship among classroom teaching, the production of knowledge, the institutional structure of the school, and the social and material relations of the wider community and society" (McLaren, 1998: 45).

In his famous work, *Pedagogy of the Oppressed* (1970), Paolo Freire prescribed a project of moral philosophy that, through the teaching of literacy, would also bring about what he called the 'secular' liberation of the individual. Critical Pedagogy involves the relationship between educators and learners, and encourages students to develop a critical self-consciousness, to become aware of their condition and to gain more social awareness.

Learners, by becoming engaged in their own education, would be able to help to develop their communities as well.[5] Freire (1970) challenged the dominant models of educational thinking that portray learners as simply passive actors in the teaching and learning process. He instead argued that learners are not simply the recipient of information, but should be encouraged to engage in the process of their education. Freire (1970) dismissed elitist educational models that promoted hierarchical structure, placing the teacher above the learners. Instead he emphasised the role of learners as "critical coinvestigators in dialogue with the teacher" (Freire, 1970:81).

He argued that through education, it is possible to develop a political liberation model that would lead to transformation of societies. Hence, education became a politically emancipating tool to support individuals to acquire the necessary knowledge and transform their existing societies. Education was intrinsically part of a project of social and political transformation, involving the liberation of students and educators. For Freire (1970), studying could be a way of understanding the world, but also of improving political, social and economic conditions.

In this sense, the relationship between learning and teaching is considered as teacher-student one. This needs compassion, mutual understanding, respect, shared aims and goals. Freire sees that well-functioning education practices require "serious, humble, and generous relationships" between teachers and students (Freire, 1998). The responsibility of the educator is not just to develop students to be ready for professional life, but to ensure that they are equipped with a good understanding of their society. In addition to this, the willingness of the educator to learn beyond their subject expertise becomes crucial to guide their learners. As Giroux & Giroux point out:

> "…public education should equip students with skills to enter the workplace. It should also educate them to contest workplace inequalities, imagine democratically organised forms of work, and identify and challenge those injustices that contradict and undercut the most fundamental principles of freedom, equality, and respect for all people who make up the global public sphere" (Giroux & Giroux, 2006: 29).

The difference between traditional and critical pedagogy is not just about the method of teaching but also about the contents of what should be taught. For example, traditional pedagogy considers training students as key to learning in order to respond to the demand of industrialists or cooperate sectors. Therefore, in this case, knowledge transfer and skills training should be the main focus of educators (Giroux & Giroux, 2006). However, critical pedagogy emphasises the process of research and teaching and learning holistically without drawing a dividing

5 Freire's pedagogical approach was a contribution of philosophical education initially applied in his country, Brazil. In the 1970s, which at the time had extremely high poverty and illiteracy rates, Freire developed a theoretical framework and a concrete approach aimed at the emancipation of local communities in the south of Brazil.

line between educational institutions, whether it is universities or secondary schools, and lecturers or teachers. It is in this process that we can develop a theory and a dialogue to help us analyse, critique and provide solutions to different problems both at a micro and macro level. In developing a critical pedagogy holistically, rather than dividing it into different sub-sections, McLaren provides an example of his work with teachers and 17 students in school and he points out that:

> When teachers are treated as intellectuals, are provided occasions for reflective and informed practice, and are assisted in developing informed ways of "knowing and doing teaching," they begin to understand the political, social and cognitive consequences of schooling. … These teachers are not intimidated by research and theory; instead, they construct the discourse of theory and practice. In this way, we are attempting to conduct research that has multiple agendas; that is, research that has academic, social, and political consequences (McLaren, 1995: 166-167).

In this case, the relationship between the co-researcher and educator is of paramount importance. This could be on many levels, depending on the research. Apart from constantly producing critical knowledge in cooperation with other teachers and students, it could also involve junior lecturers. A good example of this is within DEN, where we have a we have a PhD student, alumni and junior academics working together with students and senior lecturers to develop research materials. This symbiotic relationship between students, educators and junior academics is vital, not just for learning, but for identifying the best possible way to transfer knowledge, skills and their application into society. Education should not just be treated as an abstract concept that only exists in a vacuum, but needs to be practically developed, in order to make an impact and be applicable to the real world. This, however, needs a condition where the educator must actively lead in order to remove barriers and limitations that learners may experience. Hence, teachers are not dominant, but have an understanding of their students' conditions, encouraging sharing and developing their knowledge and skills in a collective manner.

In such a situation, the learner is engaged not just with their formal education but also with extra-curricular activity. Hence, a critical conscience is developed not just theoretically but by constant practical application. Some of the examples of this practiced within DEN are different projects such as Black History Month, International Women's Day, Difference Festival, and Students for Refugees. Students have to design, plan, develop, and implement these projects, not just amongst themselves and colleagues within the university but also with different communities and secondary schools.

Democratic Education Network: A Different Approach

The University of Westminster is globally renowned for its multicultural and diverse student body. Nearly 40 per cent of the 22,000 students at Westminster are international, in which an equally high percentage are second-generation immigrants (www.westminster.ac.uk) This diverse and inclusive environment represents 169 nationalities from all around the world.[6] The admissions criteria are based on A-Level entry requirements and as many other Universities in the United Kingdom this is also complemented by the clearing process. Westminster is a 'majority minority' University, which means that the majority of our students are from Black Minority Ethnic (BME) backgrounds and a further quarter of our students are non-UK domiciled; many of these students are first-generation learners.

6 In 2016, the University of Westminster was named the most diverse university in the UK, US, Australia, and New Zealand in the Hot Courses Diversity Index (HDI). See https://www.hotcoursesabroad.com/study-abroad-info/latest-news/press-release-introducing-the-hotcourses-diversity-index-hdi/

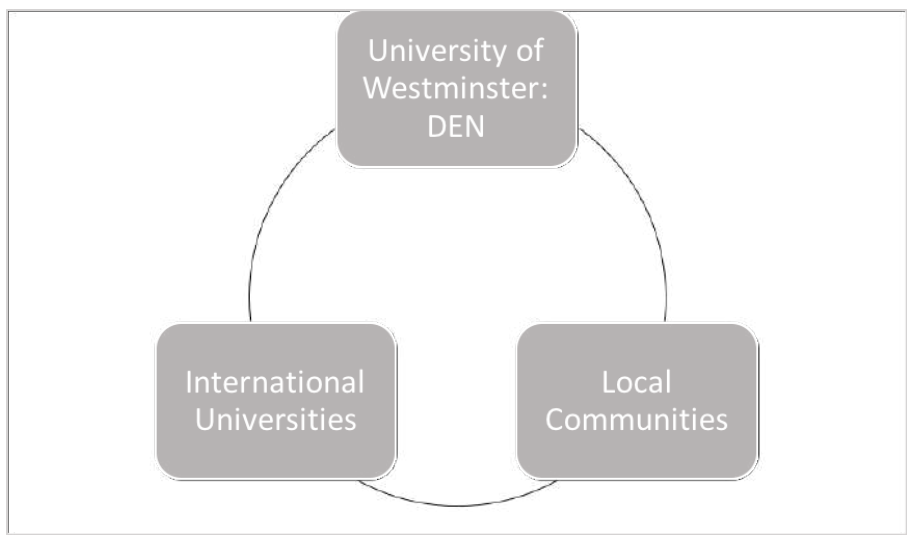
With 58% of our students coming from London's most disadvantaged areas, the University is constantly challenged to critically reinvigorate its pedagogical approach to engage, reflect and provide inclusive education for all

The Democratic Education Network started to take shape back in 2016, this was supported and driven at the initial stage by students of Politics and International Relations at the University of Westminster (www.denwestminster.net). As of today, the network has expanded and it is currently welcoming students from all across the University, especially from the newly-formed College of Liberal Arts. With over 150 members this is one of the biggest and most successful projects within the University, promoting international education, diversity, inclusion and multiculturalism. In this sense, DEN has been consistently expanding as a hub for student-led projects involving diverse and international communities, not only in London, but across the world. For example, DEN's collaborative work with Hope towns. The project initiated by an undergraduate and PhD students. Hope Towns[7] is a successful project based on the integration of refugees and asylum seekers in London and is a vital experience for students to not only understand these problems; but to initiate possible solutions. As one student reflected,

It is…important for us to continue our collaboration because there is so much more that we can learn. From speaking with the refugees, we've realised that there are countless situations, completely different in nature, that have brought these people to London under the status of a "refugee". It was eye-opening to meet these people with different stories and experiences (Hoy, 2019).

Working with different communities provides an umbrella that brings together a community of educators and learners; facilitating, supporting and engaging students. This can inspire them to develop their skills and knowledge through teamwork, and building a community of educators, learners, and supporting staff.

Figure 1: The Relationship Between the Democratic Education Network, Local Communities, and International Universities



7 Hope Towns is one of DEN's the community-based projects. It is based in London, it offers solidarity and support for the well-being and successful integration of refugees and asylum seekers in London. See, Hoy, C. (2019), "Democratic Education in Hope Towns: Students Response to the Refugee Crisis" https://insidewestminster.co.uk/.

By acknowledging and celebrating the different backgrounds of our students, DEN has been able to build links with local communities, secondary schools, and international Universities. Aside from engaging with their peers, students have been given the responsibility to create a new environment in which they are able to develop a relationship with their past, proactively think about their present, and work to improve and enhance their future; all whilst keeping these efforts at the heart of their education.

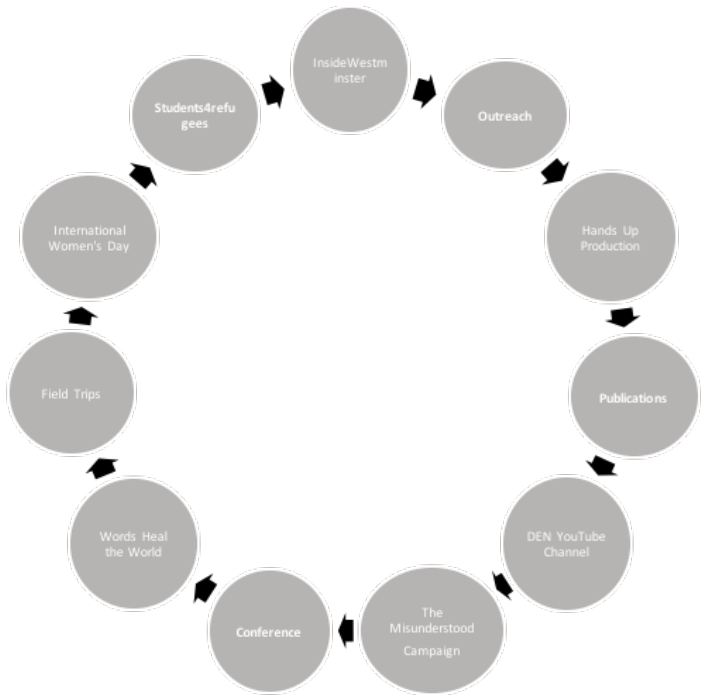
DEN builds on the view that a student's experience is not class-neutral but is shaped by familial, cultural, and social backgrounds. As the University of Westminster attracts diverse students from different ethnic backgrounds - sometimes relatively poor economic upbringing - the ability to engage students intellectually by taking their diversity into consideration becomes vital.

Given the present marketisation that HE is facing, students' engagement has become crucial as it affects retention and progression rates (Yorke & Longden, 2004). However, this cannot be mechanically achieved, the implementation of the right strategy is far more important than before. HE institutions need to encourage students to participate in activities that support their transferable skills; knowledge; confidence and most importantly, their willingness to make a positive contribution to the society they live in. Therefore, initiating a new way of engaging students through extra-curricular activities has been crucial in the case of the University of Westminster; resulting in an improvement of student's satisfaction over the last 5 years. For instance, the National Student Survey (NSS)[8] one of the key indicators to measure teaching and student support, has improved from 75% to over 85%. Improving student engagement is one the reasons behind the increase in student satisfaction. DEN has played its role to support, inspire and encourage students and this has fed into their ameliorating satisfaction. DEN has a holistic approach, attempting to build a bridge between student's history, education, culture and local and global communities.

DEN is simply a community that helps us to learn, share and care for each other. It has helped to us to build a team of students that we can express our passion towards certain goals. Some of the events that we have been involved such as "Gala Dinner" or "Difference Festival" are unforgettable because we are able to design, plan and deliver it – it is so satisfying ("A", January 2019).

8 The National Students Survey is an annual survey that collect students' opinions on the quality of their university, and the courses and support that they are provided. It is hoped that it will contribute to public accountability and help students make better choices. It is also an attempt to assist HEIs in enhance students' experience. See http://www.thestudentsurvey.com/about.php

Figure 2: Democratic Education Network's Projects



DEN has become the cornerstone of the College of Liberal Arts. The network is now integrated, with over 175 students and staff members meeting on a weekly basis to discuss major projects, and to ensure that all objectives and impacts are openly discussed and identified among the students. In addition to the main strands of work, different projects have flourished that have been at the heart of DEN, including Students 4 Refugees, Outreach Support Group, Local Community Projects, Words Heal the World, DEN's International Annual Conference and Silent Oppressions (A visual art exhibition). As part of the project, students and staff developed DEN's website (Denwestminster.net), as well as an online magazine (Inside Westminster) and a social media profile, through which they promote their projects and communicate. Every project has been a collaborative work that has been led, managed, and delivered by students. DEN has become a platform to engage students, encouraging them to freely move around different projects, and express their interests and passion while promoting creativity and entrepreneurship.

DEN has encouraged students to develop a community of learners not only to engage in various projects but also improve their vital transferable skills beyond their curriculum; taking their learning process outside the formal dimensions of the classroom. DEN's pedagogical approach is to highlight social and political issues, letting students structure questions to address them with the support of their tutors. With this in mind, DEN has enabled different and difficult conversations across and beyond the University.

To facilitate student involvement both within and outside the curriculum, it is necessary for them to be immersed in the life of the University. DEN sees the academic success not just about the acquisition of knowledge, which is taking place in the classroom. The relationship between students and the University as a whole is also important.

Students interaction with their fellow students, academics, and administrative staff outside this setting is also vital. Based on this, DEN encourages students to develop their leadership and build a bridge to their own community, including: tackling the European Refugee crisis, examining the impact of globalisation on human rights, and the role of Muslim women in contemporary society. Projects are conceived and developed entirely by students and have built bridges between local communities and partner universities around the globe. Our students have enjoyed field trips to Turkey, Vietnam, Uzbekistan, India and Georgia giving them first-hand experience of collaborative working in a global context. As one student expressed her reflection of a field trip in Vietnam.

> "This trip has truly benefited us greatly in the continuation of our second year studying International relations and development. Personally, my passion is fuelled further that will keep me fascinated until my graduation". ("B", 2019)

DEN has provided a platform through which student engagement can be encouraged by building a network of teams that support each other. These have been both part of curriculum or in the form of extra-curricular activities that have built on students' interests. For instance, different societies or groups and field trips have been essential to promote and sustain a team building approach. In this way, DEN has been encouraged by the academic staff to support and motivate each other. Through problem-solving under the guidance of academics, or in collaboration with more capable peers, students have been able to develop not just academically but also have been able to become resilient, improving their confidence, motivation, and inspiring each other. As one student clearly points this out.

> "DEN is a wide network of students that lets you socialise and work with people from all over the globe who come from different backgrounds, cultures, interests, and stories. Each person who joins DEN brings something new to the table which you may not have come across before whether its new food for the international food festivals, a different way of thinking or different skills. DEN is the epitome of diversity and I love it" ("C", 2019).

In designing, developing, and implementing such a strategy, DEN has built a community of educators and learners that meet regularly, and discuss basic academic and non-academic strategies related to their subjects and passions. It has encouraged and recognised students' potential to create and deliver their own vision of the world.

DEN's extra-curricular activities have integrated student engagement projects into a coherent and effective network, or what Vygotsky[9] describes as different zones of learning, that offer students clear pathways for the community and international participation, opportunities for experiential learning and a range of practical and employment-enhancing democratic skills. This was clearly indicated by one student:

> "I made a commitment to DEN by leading a group organizing and hosting a month of activities on the issue of gender inequality. As a first-year student, I have already been given the opportunity to work alongside different communities to challenge injustice, express my passion for equal rights and to engage and foster debate about controversial topics. Being part of Westminster clearly demonstrates that it is not only about attending lectures and seminars but also about taking advantage of the opportunities available and building a family" ("D", 2019).

9 The National Students Survey is an annual survey that collect students' opinions on the quality of their university, and the courses and support that they are provided. It is hoped that it will contribute to public accountability and help students make better choices. It is also an attempt to assist HEIs in enhance students' experience. See http://www.thestudentsurvey.com/about.php

DEN has thus provided students with valuable experiential learning in an international community and public arenas. Interactions with academics in an educational setting have always been crucial for individual development. However, for many students to develop this into something they have not experienced constitutes a shift from the traditional to critical pedagogical approach in HE. Such experience has inevitably engaged students in Universities and has also improved their understanding of real-world issues that they must deal with when completing their journey in HE.

With the rapid pace of globalisation, and the huge transformation of the demographic shape of major cities such as London[10], the community engagement in HE has become very crucial. The partnership between communities, at the local, national, and international levels would help student engagement as well as building a real community of learners and educators in a broader way.

Conclusion

This critical pedagogical approach contributes to connecting and understanding educational processes with student's realities and experiences. This allows for a holistic approach to education, apart from the development of supporting strategies that demonstrate resilience and manage the market through student engagement, the students are independently exploring and developing a real alternative to the market. DEN has introduced students to the idea of a critical pedagogical approach in an informal manner, encouraging students to independently participate in the process of developing their skills whilst critically understanding and responding to their social and political condition. There are numerous examples of projects that students have been involved with to express their passion, creativity and imagination; such as Silent Oppressions, Collaborating with secondary schools in London and local Turkish, Sudanese communities. Apart from exploring their own identities, students are also able to remove barriers that alienate individuals and groups from each other in a multicultural city such as London. In doing so, the students increase their scope of analysis and practice, not only limited by the learning outcomes of the classroom environment but also in relation to the social dynamics at large.

By taking a different approach DEN has facilitated and supported students in recognising, communicating, and sharing knowledge in a critical manner. Through actively engaging together the students have not only learned from each other but also have been able to recognise each other's strengths, celebrating their own achievements through collaboration, political participation, accountability and ownership.

Through this process, academics must pay closer attention to managing the integration of students and projects by supporting them to develop their roles and responsibilities; whilst encouraging students to develop their interests and passions, which could bring out their real potential, and not just around their academic subject.

However, DEN is only an experimental model, operating at a micro level in only one university with huge challenges ahead. At the present time it is funded by the Quintin Hogg Trust until 2020. This limits its operation and the long-term planning. At the moment most of DEN's practical work is managed voluntarily by the students. While this is a positive challenge for DEN, it is also difficult to manage the cyclical turnover of students completing their studies or leaving the University. The sustainability of DEN is reliant on new students joining and continuing in this positive growth trend. As the this is an extra-curricular activity, it is not easy to involve full time academic

10 There are now 3.2 million foreign born people living in London and the city has the greatest number of migrants among cities in the world. See http://www.migrationobservatory.ox.ac.uk/resources/briefings/migrants-in-the-uk-an-overview/

staff, as there is no specific structure, rules and regulations. The DEN project mainly relies on passion, desire, care and interest of both academics and students. Hence, this is the heartbeat of DEN and, in a sense, critical Pedagogy. However, with its success, DEN faces more challenges such as strengthening the structure, developing the contents, direction and, above all, keeping the uniqueness and spirit of the project alive.

With all the limitations in a world that continues to emphasise and encourage individualism, DEN is demonstrating that collectivism, democratic planning, and organization by students and academic staff does not only enhance education but also helps to identify a real democratic education and to promote a more even social system.

References

Bailey, M. and Freedman, D. (2011) *The Assault on Universities: A Manifesto for Resistance* (London: Pluto Press

Ball, S. J. (2012) 'Performativity, commodification and commitment: An I-Spy guide to the Neoliberal University', *British Journal of Educational Studies*, 60:1, 17–28

Beckmann, A. and Cooper, C. (2013) 'Neoliberal globalisation, managerialism and higher education in England: Challenging the imposed "Order of Things"', *Educational Policy Analysis and Strategic Research*, 8:1, 5–24

Breunig, M. (2005). Turning Experiential Education and Critical Pedagogy Theory into Praxis. Journal of Experiential Education, 28(2), 106-122.

Burbules, N.C. & Berk, R. (1999). Critical thinking and critical pedagogy: Relations, differences, and limits. In Popkewitz, T.S & Lynn, F. (Eds.), Critical Theories in Education. New York: Routledge.

Chen, H. et al. (2008). Conceptualizing engagement: Contributions of Faculty to Student Engagement in Engineering, *Journal of Engineering Education.* 97(3), 339-352.

Darder, A. (2003). Teaching as an Act of Love: Reflections on Paulo Freire and His Contribution to Our Lives and Our Work, in The Critical Pedagogy Reader (ed. Darder, A., Baltodano, M. & Torres, R.D., 2003). New York: Routledge Falmer.

Democratic Education Network, http://www.denwestminster.net/site/publications/.

Fischman, G. E. & McLaren, P. (2005). Rethinking Critical Pedagogy and the Gramscian and Freirean Legacies: From Organic to Committed intellectuals or Critical Pedagogy, commitment, and Praxis. Cultural Studies, 5(4), 425-447.

Freire, P. (1970). *Pedagogy of the Oppressed* (London: Penguin).

Freire, P. (1998). Pedagogy of Freedom: Ethics, democracy, and Civic courage. New York: Continuum International Publishing Group.

Giroux, H.A. (1983) *Theory and Resistance in Education* (South Hadley, MA: Bergin and Garvey).

Giroux, H. A. (2009a) *Youth in a Suspect Society: Democracy or Disposability?* (New York: Palgrave Macmillan).

Giroux, H. A. (2011) *On Critical Pedagogy* (New York: Continuum).

Giroux. H. A. (2013) *Youth in Revolt: Reclaiming a Democratic Future* (Boulder, CO: Paradigm Publishers).

Giroux, H. A. & Giroux, S. S. (2006). Challenging Neoliberalism's New World Order: The Promise of Critical Pedagogy. Cultural Studies, Critical Methodologies, 6(1), 21-32.

Higher Education Statistical Survey . http://www.hesa.ac.uk/holisdocs/pubinfo/student/institution0506.htm

McArthur, J. (2010). Achieving Social Justice within and through Higher Education: Challenge for Critical Pedagogy. Teaching in Higher Education, 15(5), 493-504.

McKernan, J.A. (2013). The origins of Critical Theory in Education: Fabian socialism as Social Reconstructionism in Nineteenth-Century Britain. British Journal of Educational Studies, 61(4), 417-433.

McLaren, P. (1995). Critical Pedagogy and Predatory Culture, Oppositional Politics in a Postmodern Era. London: Routledge.

McLaren, P. (1998). Life in schools: An introduction to critical pedagogy in the foundations of education. New York: Longman.

McLaren (2009), P 'Critical pedagogy: A look at the major concepts' in A. Darder, M.P. Baltodano and R.D. Torres (eds.) *The Critical Pedagogy Reader*, 2nd Edition (Abingdon/New York: Routledge).

Morady, F. (2007). Evaluating Personal Academic Advisers' Support Strategies for First-year Events Management Students. *Investigations in University Teaching and Learning*, 4 (2), 18-25.

Morady, F. (2018), "a democratic strategy to engage with the marketisation of the higher education" in the *End of the Global?* London, ISBN: 978-1-912503-22-3.

Yorke, M. & Longden, B. (2004). *Retention and Student Success in Higher Education*. Maidenhead: Society for Research into Higher Education & Open University Press.

PART I

DEMOCRACY AND IDEOLOGY

2

A EUROPEAN 'DEMOCRACY': THE CASE FOR EU'S LOCAL PARTICIPATORY BUDGETING

Andrea Gaiba

Introduction

Can new variants of a European-led local participatory democracy underpin the legitimacy of an EU 'demoicracy'? This question encompasses multiple degrees of analysis regarding the current European political environment. In the past decade, the EU has undergone major structural changes that have still left an undeniable void of political legitimacy. The lack of reforms towards stronger democratic underpinnings arguably led to the demarcation of the national borders as the limit to a transnational democracy. In order to answer the research question, it will be necessary to provide the definition of 'demoicracy' as a conglomerate of various identities (beyond the sense of belonging) who act as a polity, but do not give up their own core sense of diversity, enriching the democratic process.

The first section aims to deconstruct the underlying notions behind the ideas of European identity as an 'unfinished business' (European Commission, 2012) and of homogeneous demos as a tool to generate legitimacy through the integration of identities. By analysing consociational accounts of democracy, the first section will not solely uncover the contradictions of European political theories; such as neo-functionalism, liberal inter-governmentalism and multi-level governance and their hasty definition of demos. On the contrary, it will also expose the theoretical arguments underpinning their binary conception of existence of the EU.

The second section will instead illustrate how the emergence of a transnational participatory norm has not triggered the creation of a more actively engaged public sphere, nor has it decoded the reason for a problem of scale, given that the European participatory projects are mainly developed at the transnational level. The research over the case studies of Deliberative Citizens' Involvement Projects (DCIPs) and the European Citizens Initiative (ECI) will demonstrate how both supranational and hybrid projects are still characterized by certain insuperable limitations, such as the citizens' non-engagement over transnational issues or, more importantly, the lack of real deliberative power and effective influence on the decision-making process.

By merging studies on European identity and participatory democracy, the third section will argue for the development of new patterns of participation. Based on the empirical evidence provided by participatory projects at the local level, it will claim that through the development of Europe-led local Participatory Budgeting projects (referred to as PBs), the European central institutions and its citizens could still reconnect. However, this thesis argues that this could only happen through the relevant underlying work on identity initiated by PBs. Demonstrably, there is the need to recreate 'trust' and a culture of 'political common value', created by subjective emotional characteristics, along with values of inclusion, citizens' engagement, heterogeneous identities and downward transparency.

A Structural Problem for the EU? Theories of (Non-)Integration and a New 'Demoicracy'

The aim of this first section will be to highlight how a misconceived notion of demos as the cornerstone of legitimacy creates misleading theories of its binary existence. While the first part aims to deconstruct the normative underlying

assumptions of demos-construction and the political structures that originate from it; the second part will explore the relevance of Nicolaïdis' work on 'demoicracy' within the EU. Nicolaïdis' theory will be conceptualized as the new framework for a polity that goes beyond the binary evaluations of a homogeneous demos. Lastly, this section will introduce how a certain account of participatory democracy could underpin the development of deliberative aspects, fundamental to the growth of a healthy 'demoicratic' system.

The No-Demos Argument: Theoretical Frameworks

As Derrida claimed, self-determination legitimizes a certain geopolitical sovereignty (Innerarity, 2014), which works retroactively in legitimizing the existence of the demos. The circularity of this process is considered relevant as it implies that certain notions of shared identity and polity-norms are required after the constitutive moment of the demos. In other words, "the constitutional paradox is that the self-constitution of a non-constituted crowd can only take place if the individuals identify themselves retroactively as members of a polity that constitutes itself by exercising the powers conferred upon them by constitution" (Innerarity, 2014, p. 10). This section, however, claims that the normative development of the EU and its institutions never actually aimed at conferring power directly back to the citizens, hence halting the de facto self-constitution of a demos. The slow emergence of a participatory norm was not enough to timely recreate the empowerment of the demos. As such, the transnational absence of agency is constantly reinforced by the current latent neo-functionalist dimension embedded within EU political structures (Schmitter, 2005). Hence, neo-functionalism pushes forward a neglectful notion of integration, for it argues that the latter will be developed through a spill-over effect rather than a holistic theoretical framework which includes multiple levels of social inclusion and citizen participation (Haas, 1964, 1971, 1975). It also assumes the upward sublimation of power towards the supranational and defines two major outcomes. Firstly, the various identities will eventually merge into a common one and secondly, the public actors are not compelled to enforce the process, given its unavoidability.

Quite unsurprisingly, this supranational project afoot triggered the blossoming of liberal inter-governmentalism, which, mindful of the consequences of a purely supranational system, argued for limitations to its powers. Authors like Moravcsik (2002) reclaimed the importance of a state-centred European Union. Nevertheless, this methodological approach to integration is arguably as dangerous as neo-functionalism, for it misconstrues the limitations to a potentially unified European identity. Inter-governmentalism is characterised by a partial return to the national, due to the skeptical interpretation of European identities shared with identity theorists such as Strath (2002) or White (2012), who argue that there are irremovable geopolitical bonds to the construction of a common identity. However, this controversial notion of integration might covertly suggest the universal impossibility of creating a cohesive transnational EU, ultimately justifying populist discourses of rupture. Furthermore, the 'static integration theories' of neo-functionalism and liberal inter-governmentalism do not address the political binds to agency that are triggered by political apathy as a result of political atrophy. The structures created by such theoretical frameworks arguably alienated citizens and simplified the issue of heterogeneous identities by conceptualizing the binary existence of a European demos. Hence, political apathy did not only de facto limit the de creation of the 'social dimension' of the demos, consisting of elements such as "common history, language, identity and solidarity" (Jolly, 2005, p. 15), but also its 'subjective emotional" properties. Nevertheless, these features could be restored by particular forms of participatory democracy.

As discussed above, following nation-based refusals of a transnational demos, the European population "disintegrates into national particles on the occasion of forming public opinions and articulating interests" (Mueller, 2017), creating a consociational model of democracy. In other words, this system is "reproducing the divisions between fragments that it was designed to overcome, partly because it is in the interest of the elites to maintain the segments" (Jolly, 2005, p. 13), thus limiting the advancement of the demos. As Mueller (2017) argues, given that the deliberative power does not lie in the hands of the totality of EU-citizens, the two-level (national-transnational) representative design strips the EU of its legitimacy and constitutional sovereignty. This section will argue that the limitations of the identity discourse to a problem of scale could profoundly undermine our understanding of the demos as a political entity. The debate on identity and structure between supranationalist vs federalist/inter-governmentalist fosters a dichotomic discourse that continues to undervalue the importance of heterogeneity as the foundation of politics and the identity construction of the public sphere. Nevertheless, the reformist arguments that attempted to reject and rebalance a binary analysis has still mirrored the same contingent issue of the "Cartesian tyranny of dichotomies, all variants of 'more' vs 'less' Europe" (Nicolaïdis, 2004, p. 79).

The critique of both neo-functionalism and liberal inter-governmentalism has indeed triggered the shift towards multi-level structures, for the former frameworks often tend to focus on "distributional bargaining among (economic) interest groups" (Hooghe and Marks, 2009, p. 4), ignoring deeper evaluations of the no-demos issue. Although multi-level governance enhances a post-functionalist discourse of integration (Hooghe and Marks, 2009), this section claims that the peaceful existence of both levels, national and supranational, does not translate itself into a reality of safe deliberation. The existence of the national level as an intermediary between the transnational and the local, arguably creates identity overlapping and is detrimental to the development of an EU demos. On the other hand, while generating even broader plurality of identities by providing different socio-political levels of belonging, multi-level governance does not address heterogeneous demoi at the supranational level, for at such level still retains the Habermasian objective of collective identity (Mueller, 2017). Nicolaïdis (2012, p. 251) criticizes Habermas' theory for it suggests that "a European demos could and should be 'forged' as the foundation for formal constitutionalization of European integration: there may be no European demos quite yet, but there is a European demos in the making." This statement highlights a top-down approach to problems of legitimation that does not safeguard the integrity of the demoi, but rather aims at merging them together in a dangerous compromise. It is necessary to dismiss both the top-down normative endeavour resulted from frameworks of neo-functionalism, inter-governmentalism and – covertly - the supranational level of a more 'inclusive' multi-level structure. In order to reject such interpretations of identity it is imperative to uncover the underlying notions of "pre-political rigidity, and the tendency to think of identity as a homogeneous reality" (Innerarity, 2014, p. 13).

The "Demoicratic" Turn

The ground-breaking work of Nicolaïdis (2004) stresses upon the necessary maintenance of a pluritarian demos, as opposed to the majoritarian one that follows a Habermasian framework. Nicolaïdis (2004) calls for the development of a 'demoicracy' as a solution to the perplexity of academics who are very critical of the EU as they argue for the inviolability of national specificities (Warleigh, 2003). The notion of a 'demoicracy' is that of a political system beyond the Habermasian theories of supranational constitutionally-legitimized power. This aims at empowering diversity while simultaneously intending to create a connection across different socio-political identities. The definition provided by Nicolaïdis (2012, p. 254) defines 'demoicracy' as follows:

> "European demoicracy is a Union of peoples, understood both as states and as citizens, who govern together but not as one. It represents a third way against two alternatives which both equate democracy with a single demos: as a demoicracy-in-the-making, the EU is neither a Union of democratic states as 'sovereigntists' would have it, nor a Union-as-a- democratic state to be as 'federalists' would have it. A Union-as-demoicracy should remain an open-ended process of transformation which seeks to accommodate the tensions inherent in the pursuit of radical mutual opening between separate peoples."

In order to empower the 'demoi', this thesis will argue that it is not only necessary to move beyond the multi-level structure but to create patterns of extensive political participation. In response to the growing concerns over the 'democratic deficit' (Warleigh, 2003; Kies and Nanz, 2013, Della Porta, 2013), Gaventa (2006) states that participatory practices can be complementary to representative democracy, thus enriching the 'deepening democracy' debate. This process would put into practice the theorized "institutional experimentation" argued by Fishkin (2011, p. 180) to be necessary in order to address the impracticability of Habermasian theory at the transnational level.

The European legitimacy lies within the sphere of politics and is bound to the ability of the EU-citizens to preserve an enriched 'demoi', by effectively retaining as much deliberative power as it is needed for them to become a 'sovereign' political entity (Mueller, 2017). Hence, this section claims that as long as citizens are allowed to be sovereign in their deliberation and the process of doing so legitimates them, it is possible to transcend the nation-state in a post-Westphalian European order. Ultimately, the debunking of the no-demos argument lies within the political choice of shifting away from "national intensity", which inherently "will replace belonging with identification" (Innerarity, 2014, p. 26). Thus, the transition towards a cosmopolitan framework is inevitable when moving beyond the notions of 'belonging' as legitimating the regulatory constitution of 'demoi' (Nicolaïdis, 2013). Nevertheless, this normative shift may suffer again from a problem of scale: the next two sections will claim that rather than focusing on the supranational, the focal point of this cosmopolitan approach should enrich the local dimensions, where the 'demoi' assumes its truest form. Arguably, it is in this dimension that the previously mentioned "subjective emotional elements" (Jolly, 2005, p. 15) are empowered and define a codifying moment for the European polity. Furthermore, as reiterated in the final section, it is necessary to create values of joint heterogeneity and participation as the normative precondition for 'demoicracy' to exist.

The Emergence of European Participatory Democracy

Participatory democratic theory draws traditionally upon the theoretical work of Pateman (2012) and Fishkin (2009). It has meaningfully challenged the notion of democracy as the traditional political process framed by representative party-systems, especially at the local level. Participatory democracy was put in place to develop "ways of increasing the participation of citizens, in the creation of high-quality communicative arenas and, therefore, citizens' empowerment" (Della Porta, 2013, p. 171). As highlighted earlier, the participatory norm within EU institutions transitioned towards the transnational, following the belief that it would be most effective when operating in this given dimension. By doing so, participatory democracy underpinned a form of participatory democracy which is both a "polity" and a "constitutional norm". As Saurugger (2010, p. 472) writes, participatory democracy is a 'polity norm' in the sense that it underpins "collective understandings of the proper behaviour of actors" and therefore manages "actors and their environment". According to Saurugger (2010), participatory democracy has profound implications both on the structure and the agency of the European polity. On the one hand, a functionalist interpretation of participatory democracy would predominantly highlight the benefits as

the ability to achieve good governance and the construction of informed decision making operated within the public sphere. On the other hand, a more structuralist interpretation would also uncover underlying progresses on European identity. As Bachrach argues, "through learning to communicate and reflect and engage in dialogue, and to act in concert with others, participants acquire the capacity to become reliably and realistically aware of what their political interests are" (Bachrach, 1992, p. 11). The emergence of projects of participatory democracy at the European-transnational level demonstrates the clear objective to tackle a clear European structural issue that continues to raise questions of demos and legitimacy. However, the development of awareness and political interest framed by Bachrach (1992) proved to be weakened by the transnational dimension, when compared to the empirically sound experiments of the local. Thus, EU witnessed the progressive growth of the democratic deficit at multiple levels, along with a general lack of clear "separation of power, either horizontally (that is, between EU institutions), or vertically (between the EU on the one hand, and its component states and regions on the other)" (Warleigh, 2003, p. 7). The next section does not claim that participatory democracy should have been used as a panacea to the previously mentioned multi-layered contingent issues. On the contrary, it argues that a specific matrix of participatory practices could, or rather should, progressively become a deontological sine qua non to the transnational democratic process. Assuming that the focus of participatory democracy is democratic participation and that this latter "must be recognized as an integral moral value of contemporary democratic theory" (Bachrach, 1975, p. 97), then the "EU's democratic legitimacy" will rest on "two complementary principles – representative democracy and participatory democracy" (Lindgren and Persson, 2011, p. 6). Consequently, considering representative and participatory democratic practices as complementary to each other ultimately determines the necessity to establish a normative substructure.

The Emergence of the Participatory Norm in the EU

The progressive emergence of the participatory norm in the EU was non-linear and therefore widely ineffective. Saurugger (2010, p. 472) writes: "the construction of the participatory norm does not resemble a linear development starting with norm emergence, continuing to norm acceptance and a 'tipping point' and, finally, resulting in norm internalisation". Controversially, norm emergence did not result in the expected norm acceptance process, with the subject of acceptance being -conversely- the institutions themselves. The EU's White Paper on European Governance in 2001 (Commission of the European Communities), while acknowledging structural issues lying at the core of the EU-citizenship discourse and accepting the existence of a top-down "democratic" system, identifies the latent problem of legitimacy with issues of multi-level communication (Yang, 2011). Therefore, rather than rethinking the necessary interrelationship with shaky but emerging demoi, the Commission of the European Communities simply reiterated the problem by proposing a new communication policy that would simply the symptoms. Contrastingly, to what the Commission believed, Yang (2011) argues that the core issue lied far beyond a more efficient multi-layer communication and that a temporary solution could justify a normative shift towards a transnational system that became inevitably unaccountable to the European demoi.

On the other hand, as Saurugger (2010) pointed out, the White Paper did de facto represent a first institutional step towards inclusion and participation of the European citizenry, but it did so mainly focusing on the empowerment of 'global civil society', as the participatory drive to change. Although particular democratic theories would argue that this would deem the best direction for the EU, this paper argues that participatory democracy is equally as necessary in order to put in place institutional systems able to involve the 'lay citizens' as well as the 'interested public'. The inability of the EU to grasp the understanding of bottom-up participation is yet again proven when

it comes to define the actual meaning of 'participatory' (European Commission, 2013). It is extremely important to specify that this thesis is not trying to undermine the relevance of 'civil society', but rather stresses upon the fact that the relevance of 'civil society' and participatory democracy are of equal importance and must coexist in order to enhance citizens inclusion in political life and a necessary accountability of EU policy-making. Furthermore, the lack of regularity often linked with participatory democracy hinders it democratic outputs and the notion that the demos (Della Porta, 2013). Hence, the resulting structure of such participatory projects is often bent towards an "interactive policy-making" (Della Porta, 2013), where the supporting demos is mostly part of consultation practices and is rarely involved in decision-making.

Most of the participatory projects established by the EU were designed with clear transnational connotations, involving three or more countries (Smith, 2013). Deliberative Citizens' Involvement Projects (DCIPs) such as 'Agora' and 'Your Voice', are not deemed relevant to this thesis, for they targeted CSOs (Smith, 2013) and thus primarily interested citizens. Instead, this essay will explore two case studies of participatory projects. The first is Europolis, for its inclusion of random citizens complex multi-level deliberative process (from the national to the supranational). The second is the European Citizens Initiative (ECI), which in turn aims to engage interest citizens in deliberative transnational processes, but also demonstrated structural weaknesses.

Europolis, on the other hand, is taken into consideration due to its hybrid approach to the dimensions of deliberation. By conferring deliberative power at the national level to a random selection of citizens and then translating it to transnational output (Isernia and Fishkin, 2014), it symbolizes a great effort by policy-makers in combining multi-level participation. Nevertheless, both the 'socio-demographic' (gender, age, education) and the 'Eurobarometer data', intended as criteria for inclusion (Isernia and Fishkin, 2014), were insufficiently representative of the heterogeneity of identities. In addition to that, "the quality of the discourse is not automatically improved through participation", and "trade-offs between participation and discursive quality" become the norm (Della Porta, p. 177), especially when dealing with problems of scale at the transnational level and, thus, of citizens' interest and inclusiveness of topics. Hence, the transnational participatory set-up was perceived as 'artificial' (Isernia and Fishkin, 2014) by the same academics involved in its development.

The ECI, on the other hand, was introduced by the Lisbon Treaty (Badouard, 2013), and developed as a purely transnational project targeting and empowering the active citizens in deliberation on legal issues at the European level, through the dialogue with EU institutions. However, the ECI's output are often driven by CSOs and in the process, exclude the opinion of important sections of the public (De Clerck-Sachsse, 2012).

Local Participatory Democracy and The Foundations to A European "Demoicracy"

The emergence of a routinised participatory norm within EU institutions as initially framed by the Constitutional Treaty and the Lisbon Treaty (Saurugger, 2009), was demonstrated in section 2 to be insufficient in practice, since DCIPs and the ECI either focus on the engagement of lay citizens on transnational issues -not defending the various local specificities- or aim at engaging the active citizenry. Building on what was explored in the previous sections, the third section of this paper argues that the emergence of the participatory norm and the decentralization of administrative power (local politics), if coordinated jointly, could change the traditional paradigms of European identity-studies. In other words, in order to reconnect with its citizens and move towards a 'demoicratic' system, the EU institutions should focus more on the local dimensions of participatory democracy. The aforementioned grass-root work on identity that fosters the emergence of a stronger plurality, as opposed to consensus-creation

political structures, will be further explained throughout this section. Nevertheless, it is important to reiterate that such practices of participatory democracy are designed to integrate, not replace, representative democracy in addressing questions of legitimacy at the European level (Lindgren and Persson, 2011).

A Transition Towards Local Politics

As discussed previously, most of the DCIPs and the ECI itself are deeply embedded within frameworks of transnational institutionalism that are extensively blind to the heterogeneity of local identities. This limitation is related to a problem of scale, which forces these participatory projects to inevitably generate major issues of representation and transnational majority. In a way, it could be argued that they still recreate the quiescent dimension of a "permissive consensus" (Hooge and Marks, 2009). Maintaining an advisory role to the EU central policy-making, the topics debated in the deliberative part of such projects are limited in geopolitical scope and effectiveness.

On the other hand, local participatory democracy - and in particular participatory budgeting – has demonstrated to be enriching for the democratic process. However, by working solely at the local level as part of national practices, it is limited in outputs and scarcely focused on identity groundwork. The limits of local participatory democracy are to be related to the legal and regulatory dimension of Participatory Budgeting (PB) (Cabannes, 2004). In order to adjust these structural limits of PBs, innovative solutions could merge the qualities of transnational participatory projects (political normative power, economic means, institutional expertise) with the qualities of local participatory budgeting (transparency, inclusion, citizens engagement), This new type of PBs would be better able to represent local heterogeneity within a transnational framework. Thus, the shift of focus from the transnational to the local would trigger the opposite and equal dynamic of inclusion the EU's has tried to achieve through transnational projects. The process explained ultimately aims at empowering a European notion of 'demoi' and subsequently, the birth of an EU that is protective of geopolitical specificities.

Young's (2018) latest work displays similarities to this argument. He (Youngs, 2018) elaborates on the importance of creating civic forums at the local level, in order to challenge the EU's transnational/federalist binarism. Nevertheless, Youngs (2018) brings forward a multi-level structure of civic participation, that aims at working contemporarily with local, national and transnational forums. Multi-level governance triggers overlapping identities and the weakening of the political power in the hands of the demoi. Instead, this paper argues that participatory democracy obtains optimal performances of inclusion, engagement and transparency when working at the local level, as it will be explained in the second half of this section.

A Case for EU's Local PBs

Participatory Budgeting as a practice was originally designed in 1989, organized by the Brazilian Partido dos Trabalhadores (Workers Party) and first put in practice in the city of Porto Alegre (Abers, 2001; Marquetti, Schonerwald da Silva and Campbell, 2012). Based on its framework, PBs expanded globally and rapidly reached the European continent, creating a movement of resurgence of municipal politics, aimed at reconnecting the national demos, specifically targeting the low-income areas at the local level (Sintomer, Herzberg and RöCke, 2008). In some instances, these projects even went as far as delineating a 'fourth power' constituted by the decision-making demos, although still tightly linked to regional state-linked authorities (Sintomer, Herzberg and RöCke, 2008). This is to highlight the potential normative power that PBs embody.

As mentioned before, the beneficial outcomes of maintaining the de facto existential characteristics of PBs as local centres for decision-making, but organized by a transnational institution, would be that many key identity issues are simultaneously being tackled at the local level: democratic deficit of the EU, structural inequality (tackled through distributive effects) and EU legitimacy. Moreover, it would ultimately start constructing the notion of transnational 'demoi' as opposed to demos, empowered by bottom-up political structures and heterogeneous identities, which would bolster a 'demoicratic' framework. The solution initially suggested are, indeed, PBs since they address the problematic European political apathy that often results from wealth inequality (Solt, 2008). Apathy is one of the often-overlooked causes to the geopolitical underlying assumptions often constructed around the 'no-demos' argument. Solt (2008, p. 48) provides an account of the powerful relationship between income inequality and the decrease in "political discussion" and "participation". As Diamond argues: "apathy and inertia in Europe […] could significantly lower the barriers to new democratic reversals" (2015, p. 153). On the other hand, PBs have historically proven to specifically address 'apathy by inequality' by challenging the orthodox political structures creating economic issues, responding "to greater economic inequality by increasing redistribution" (Solt, 2008, p. 57). They strengthen patterns of causality between political engagement and deliberation among citizens at the local level. Della Porta (2013) refers to this engaging aspect of PB as its "extremely competitive component", which differentiates it from any other participatory or deliberative project. As discussed in the following paragraphs, the efficiency and effectiveness of PBs should gradually inspire greater participation and 'trust', which in turn enhances evaluations from the policy-makers to increasingly empower PBs.

Nevertheless, the 'traditional legal and regulatory dimension' of PBs normatively binds the exclusively local initial framework of such projects to limits of time and resources (Cabannes, 2004). While the issue of resources could be addressed by more meaningful EU funding, the limit of time is normally intertwined with the existence of PBs themselves. PBs are often regarded as short-medium term participatory practices, for they regularly cover the possibility of year-long projects. This section does not consider PBs as the unique way to create effective change, but as the first step in the dawning of a European 'demoi'.

The theoretical and normative reform of local participatory democracy within the EU in an evolving process, requires the development of complementary forms of citizen participation in order to fully integrate citizen participation as a part of the political process. Once citizens' participation intensifies, the following step would require the institutionalization of deliberative democracy as a deontologically normalized method (Bachrach, 1975), previously introduced by PBs but limited in practice.

Further empowering the deliberative dimension beyond PBs is arguably necessary to propagate the debunking of the 'permissive consensus' through practices of citizen deliberation, with benefits of the latter on identity will be analysed in the second half of this section.

PB's Underpinnings on Identity

The normative growth of PBs globally provided empirical evidence for the existence of relevant corollaries to their processes. The underlying identity creation-process of local PBs arguably generates three major foundational accounts to a stronger EU 'demoi'.

The first account is that of inclusion of heterogenous communities, as an effect of the 'physical dimension' of PBs, as maintained by Cabannes (2004). He argues that "PB tends to channel public resources towards traditionally

excluded areas and neighbourhoods" (Cabannes, 2004, p. 39), referring to the inclusion of citizens that were previously apathetic to politics due to wealth inequality (Solt, 2008). The distributive impact of PBs (Avritzer, 2006), along with the centralized decision of how to re-distribute the budget across the various European PBs, could benefit the poorest classes, creating a sense of reorganization of wealth both locally and internationally. This would arguably trigger the underlying rhetorical power of 'public value' as a force that mobilises "those who work in them to respond to and involve the public and serve the public's needs and aspirations rather than institutional and personal interest" (Horner, Lekhi and Blaug, 2006, p. 13). Thus, not only could PBs bolster the growth of inclusion among minority groups in order to preserve plurality, but could also serve at the same time as a way to bend top-down politics towards a better creation of the common good, in other words called 'public value'.

In addition to this latter aspect of inclusion, "citizens […] learn about policy issues and may acquire civic skills, such as debating public issues or running a meeting." (Michels and De Graaf, 2010, p. 487). Consequently, the competency and interest automatically translate into a shared sense of responsibility (Michels and De Graaf, 2010), which in turn reinforces the process of expansion of such responsibility to an increasing number of citizens. This social dialogue creates relevant patterns of inclusion, along with the feeling of belonging to the local community as part of a shared democratic experience.

In order to achieve a true 'demoicracy', the inclusion of plurality must be a prerequisite of the political process. Hence, an optimal design of PBs is essential to tackle relative inclusion. Certain social minorities or the balance of gender must be addressed by designing patterns of political engagement that need to be elaborated taking into account the demography and multiplicity of identities of the local, based on a case-to-case analysis. The encouragement of diversity Michels and De Graaf, (2010) includes, for instance, establishing "a system of quotas to ensure that 50 per cent of the delegates are women, and at least three of them are part of the directive committee of the participatory budget." (Cabannes, 2004, p. 38). The empirical results from the involvement of a minority by design triggers different outputs (Avritzer, 2006), more complex and potentially enriching the heterogeneity of the 'demoi'. Given the need for preserving the plurality originated during the deliberative process, a transnational management of local PBs would be able to analyse the resulting data and eventually create transnational projects to complement the demands of minorities that cannot be fully satisfied by the participatory process. The key difference with other political projects is that the focal point of deliberation happens at local public fora and then transcends to the supranational stage.

As demonstrated, the first identity underpinning on the transnational demoi-creation is determined by the underlying function of inclusion fostered by PBs. On the other hand, the second aspect rather focuses on quantifying the existence and growth of such participation. Thus, the focal point of study for such analysis will be citizen engagement. According to Horner, Lekhi and Blaug (2006, p. 13), "deliberation and public engagement, difficult though they may be, are in and of themselves critical to a healthy democracy and individual notions of citizenship." Hence, deliberation and public engagement, by being necessary democratic tools, are also inevitably intertwined in a spiral of democratic efficiency. Subsequently, this section elaborates on a previous explanation of the existence of a deliberative space within local participatory democracy, by claiming that the latter could also enhance public engagement and hence, contribute to the legitimacy discourse (Michels and De Graaf, 2010). Again, addressing issues of legitimacy has already been maintained to create normative change to the absence/presence dichotomic existence of demos. This section argues the survival of demoi to be tightly linked with processes of growing inclusion, engagement and deliberation. Empirically, the participatory projects of Porto

Alegre, Belo Horizonte and São Paulo demonstrated that participation and engagement increase exponentially over the years, if the citizenry is consistently and growingly satisfied with the outputs of the participatory process (Avritzer, 2006). For instance, the city of Porto Alegre started by engaging 976 participants during the first year of PB, to 13,687 during its tenth year (Avritzer, 2006), with a proportional development of citizens' engagement reaching ten times its initial figures.

Another aspect of PB to consider is its 'budgetary/financial dimension' (Cabannes, 2004). Albeit this thesis does not focus primarily on the financial structure of PBs, the empirical evidence that the percentage of budget dedicated to PBs by local administrations tends to increase over time is claimed to be relevant to this latter explanation of developing engagement. When the budget increases, the same happens to the effectiveness and magnitude of projects, which could further build upon the interest of citizens and thus, empower the demos through PB.

Lastly, the consequence of interested elites and the effects of consociational systems on the demos highlighted in the first section (Jolly, 2005) could arguably be detected as a lack of downward transparency (Hooge and Marks, 2009). Nevertheless, the rise of constraining dissensus ironically produced a spill-over effect similar to that of neo-functionalist that originates from the rejection of the latter, by which instead of creating common values, citizens became more attentive to counter-European narratives of inefficiency and unaccountability. This section rejects Nicolaïdis' (2012, p. 364) 8th Principle of "demoicracy", which argues that "power-scrutinizing mechanisms" should originate at the transnational level and trickle down to the local. Instead, it argues that transparency as a prerequisite of PBs demonstrably addresses the local power-scrutiny, which then has direct effects on the efficiency of the whole system. Through an efficient local PB, the citizens would see the direct effects of shared decision-making, recreating the 'trust' in transparency proper of democratic processes (Motti-Stefanidi and Cicognani, 2018). This deontological turn of transparency would guarantee and safeguard a better 'political value', which also includes aspects of "downward accountability" and "recognition of users as citizens rather than as subjects or recipients (command and control), or as just consumers whose desires and wishes simply need to be added up and measured via satisfaction ratings" (Horner, Lekhi and Blaug, 2006, p. 13).

Conclusion

The findings of this thesis explored in depth the underlying effects of local participatory democracy on identity construction, in a polity where the heterogeneity of the public sphere normatively shapes the notion of a 'demoicracy'. The focus of the research question on the local demonstrated that this latter dimension pragmatically bypasses the issues encountered historically with transnational participatory democracy.

In particular, this thesis highlighted the key role of PBs in restoring an efficient democratic interrelationship between the political elites and the citizens. The grassroot work on democratic deliberation and decision-making has been proven to affect both the inclusion (of heterogeneous actors) and the re-engagement of 'lay' citizens. These findings are extremely important as they address the inadequacies of transnational DCIPs and ECI, as argued in section 2. More importantly, this form of PB, enhanced by the magnitude of the European budgeting, which provides for an efficient organization, tackles further issues of social justice through its redistributive function, in turn triggering two additional beneficial processes. The first is the political awakening of the poor classes for reasons of interest in redistributive forms of politics. The second is an empirically validated increased sense of common identity.

Hence, local PBs organized by the transnational EU have been argued to create the first normative shift towards different conceptions of identity, ultimately moving away from the state-centred sense of belonging but, nevertheless, accepting a more inclusive notion of 'demoi' based on new set of values forged by bottom-up participatory democracy.

References

Abers, R., 2001. Practicing Radical Democracy: Lessons from Brazil. The Planning Review 37, 32–38.

Avritzer, L. 2006. New Public Spheres in Brazil: Local Democracy and Deliberative Politics. International Journal of Urban and Regional Research, 30: 623-637.

Bachrach, P. 1975. Interest, Participation and Democratic Theory. In: Pennock R., Chapman J. (ac. di), Participation in Politics. Lieber-Atherton: New York.

Bachrach, P., Botwinick, A., 1992. Power and empowerment: a radical theory of participatory democracy. Temple University Press, Philadelphia.

Badouard, R. 2013. Combining Inclusion with Impact on the Decision? The Commission's Online Consultation on the European Citizens' Initiative. In: Kies, R. and Nanz, P. (eds) Is Europe listening to us? Successes and failures of EU citizens consultations. Surrey: Ashgate Publishing Limited.

Cabannes, Y., 2004. Participatory budgeting: a significant contribution to participatory democracy. Environment and Urbanization 16, 27–46.

Commission of the European Communities, 2001. European Governance: A White Paper. Available from http://europa.eu/rapid/press-release_DOC-01-10_en.htm [Accessed 20 November 2017]

De Clerck-Sachsse, J., 2012. Civil Society and Democracy in the EU: The Paradox of the European Citizens' Initiative. Perspectives on European Politics and Society 13, 299–311.

Della Porta, D., 2013. Can democracy be saved? participation, deliberation and social movements. Polity Press, Cambridge.

Diamond, L. 2015. Facing Up to the Democratic Recession. Journal of Democracy, 26, 141-155.

European Commission (2012). The Development of European Identity/Identities: Unfinished Business. Brussels: Directorate-General for Research and Innovation - Socio-economic Sciences and Humanities. Available from https://ec.europa.eu/research/social-sciences/pdf/policy_reviews/development-of-european-identity-identities_en.pdf [Accessed 30 October 2017]

European Commission, 2013. European Engagement in Participatory Democracy. Available from http://ec.europa.eu/commfrontoffice/publicopinion/flash/fl_373_en.pdf [Accessed 20 January 2018]

Fishkin, J.S., 2011. When the people speak: deliberative democracy and public consultation. Oxford University Press, Oxford.

Gaventa, J. (2006) Triumph, deficit or contestation? : deepening the 'deepening democracy' debate. Working paper series, 264. Brighton: IDS.

Haas, E.B. (1964) Beyond the Nation-State. Functionalism and International Organization, Stanford: Stanford University Press.

Haas, E.B. (1971) 'The study of regional integration: reflections on the joy and anguish of pretheorizing', in L.N. Lindberg and S.A. Scheingold (eds), Regional Integration: Theory and Research, Cambridge, MA: Harvard University Press, pp. 3–44.

Haas, E.B. (1975) The Obsolescence of Regional Integration Theory. Berkeley: University of California Press.

Hooghe, L., Marks, G., 2009. A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus. British Journal of Political Science 39, 1.

Horner, L., Lekhi, R. and Blaug, R. 2006. Deliberative democracy and the role of public managers: Final report of The Work Foundation's public value consortium. Available from https://www.researchgate.net/publication/237474808_Deliberative_democracy_and_the_role_of_public_managers/citations [Accessed 23 November 2017]

Innerarity, D. 2014. Does Europe Need a Demos to Be Truly Democratic? LEQS Paper, 77: 1-31.

Isernia, P., Fishkin, J.S., 2014. The EuroPolis deliberative poll. European Union Politics 15, 311–327.

Jolly, M., 2005. A Demos for the European Union? Politics 25, 12–18.

Kies, R. and Nanz, P. (2013). Introduction. In: Kies, R. and Nanz, P. (eds). Is Europe listening to us? Successes and failures of EU citizens consultations. Surrey: Ashgate Publishing Limited.

Lindgren, K.-O., Persson, T., 2011. Participatory governance in the EU: enhancing or endangering democracy and efficiency?. Palgrave studies in European Union politics. Palgrave Macmillan, Houndmills, Basingstoke, Hampshire; New York.

Marquetti, A., Schonerwald da Silva, C.E., Campbell, A., 2012. Participatory Economic Democracy in Action: Participatory Budgeting in Porto Alegre, 1989–2004. Review of Radical Political Economics 44, 62–81.

Michels, A., De Graaf, L., 2010. Examining Citizen Participation: Local Participatory Policy Making and Democracy. Local Government Studies 36, 477–491.

Moravcsik, A. 2002. In Defence of the 'Democratic Deficit': Reassessing Legitimacy in the European Union. Journal of Common Market Studies, 40(4): 603-624.

Motti-Stefanidi, F., Cicognani, E., 2018. Bringing the European Union closer to its young citizens: Youth active citizenship in Europe and trust in EU institutions. European Journal of Developmental Psychology 15, 243–249.

Mueller, A., 2017. A Public no Demos: What Supranational Democratic Legitimacy (in the EU and Elsewhere) Requires: What Supranational Legitimacy Requires. European Journal of Philosophy 25, 1248–1278.

Nicolaïdis, K. 2012. The Idea of European Demoicracy. In: Dickson, J. and Eleftheriadis, P. (eds.). Philosophical Foundations of European Union Law. Oxford University Press.

Nicolaïdis, K., 2004. The new constitution as european 'demoi-cracy'? Critical Review of International Social and Political Philosophy 7, 76–93.

Nicolaïdis, K., 2013. European Demoicracy and Its Crisis: European demoicracy and its crisis. JCMS: Journal of Common Market Studies 51, 351–369.

Pateman, C., 2012. Participatory Democracy Revisited. Perspectives on Politics 10: 7–19.

Saurugger, S., 2010. The social construction of the participatory turn: The emergence of a norm in the European Union. European Journal of Political Research 49, 471–495.

Schmitter, P.C., 2005. Ernst B. Haas and the legacy of neofunctionalism. Journal of European Public Policy 12: 255–272.

Sintomer, Y., Herzberg, C., RöCke, A., 2008. Participatory Budgeting in Europe: Potentials and Challenges: Participatory budgeting in Europe. International Journal of Urban and Regional Research 32, 164–178.

Smith, G. (2013). Designing Democratic Innovations at the European Level: Lessons from the Experiments. In: Kies, R. and Nanz, P. (eds) Is Europe listening to us? Successes and failures of EU citizens consultations. Surrey: Ashgate Publishing Limited.

Solt, F., 2008. Economic Inequality and Democratic Political Engagement. American Journal of Political Science 52, 48–60.

Strath, B. (2002). A European Identity: to the Historical Limits of a Concept. European Journal of Social Theory, 4(5).

Warleigh, A. (2003). Democracy in the European Union. London, SAGE Publications.

White, J. (2012). A Common European Identity Is an Illusion. In: Zimmermann, H. and Dür, a. (eds.) Key Controversies in European Integration. Basingstoke: Palgrave Macmillan, p103-11.

Yang, M. 2013. Europe's New Communication Policy and the Introduction of Transnational Deliberative Citizens' Involvement Projects. In: Kies, R., Nanz, P. (Eds.). Is Europe listening to us? successes and failures of EU citizen consultations. Ashgate, Farnham, Surrey, England.

Youngs, R., 2018. Europe reset: new directions for the EU. Tauris, London.

3

IS NEOLIBERALISM AN IDEOLOGY?

Lorenzo Cortinovis

Introduction

Neoliberalism has affected western and non-western societies by the redistribution of wealth. The environmental damage, the cost of the neoliberal agenda, the deepening and widening of wealth inequalities, the weakening of social protections and worker rights justified as a 'natural' necessity of modernization, are all consequences of neoliberal policies. The nature of Neoliberalism is contested, but we can study it both as a form of governmentality (Hamman, 2009), a way of governing the economy and society through the assumptions of rational choice and market fundamentalist theories and as an ideology, or better: "the ideology of the modern world" (Monbiot, 2017).

The aim of this paper is to prove that Neoliberalism is more than a simple set of economic policies based on Neoclassical economics such as privatization, deregulation of markets to boost foreign investment and growth, limited subsidies and reduction in welfare provisions, expansion of tax base, abolition of fixed exchange rates, privatization of state-owned enterprise and reduction of spending and opening of the market. In particular, this paper seeks to explain how Neoliberalism has become a collective thought and to explain why it represents an ideology. The first section will offer a historical reconstruction of Neoliberalism in order to understand its roots. In the second section, I will investigate the dispute between the use of discourse and ideology as a theoretical understanding to approach the study of Neoliberalism and to establish why it can be defined as an ideology. In the third section, I will focus on the practices of resistance and counter-hegemonic actions aimed at rewriting the economic order from a perspective that includes a diversity of accounts, reflecting on how to resist the Neoliberal ideological discourse. In conclusion, I will argue that Neoliberalism is an ideology rooted in a process of homologation to one view of knowledge, of the economy and of the world and that practices of resistance and counter-hegemony must take place to change the neoliberal common sense.

The History and Evolution of Neoliberalism: Origins and Institutional Entrenchment

Neoliberalism developed as a contested concept, but if there is no unanimous consensus on the precise definition of Neoliberalism, it does not mean that it cannot be studied trying to interconnect it with different accounts (Mirowski and Plehwe, 2015, p. 420). The fact that Neoliberalism is difficult to define shows its main feature: obscurity.

In the history of the economic thought, Neoliberalism is an economic and political project that followed the crisis of Liberalism, which was born during the 17th and 18th centuries as a reaction to absolutism in Europe and from which derives the 'laissez-faire' approach (Raico, 1991). After the Great depression in 1930, the failure of classical liberalism was already in motion. As argued by Thorsen (2010), the term Neoliberalism embodies a renaissance of economic Liberalism, underlying the fact that it was marginal or absent from the political discourse for a period of time. In the period before and during the WWII, a group of liberal intellectuals first joined together in what is known as the Walter Lippmann Colloquium, which intended to reorganize liberal interests in light of the financial crisis. The role of the state was the main issue of the debate, and intellectuals were divided between those who

wanted a stronger role of the state to manage the irrationality of markets and those who were backing economic conservativism and the idea of the 'laissez-faire' economics, with the state playing outside the market rules, as a facilitator (see Reinhoudt and Audier, 2017).

Following the Second World War, the political international order had to be rebuilt on new basis. One of the main objectives was to design a system that would have not reproduced the condition that led to the spread of Fascism and Nazism in Europe, thus there was particular attention to the structure of the economy, to the necessity (under the umbrella of the US) to promote free trade markets and liberal democracies, but also to the idea that to avoid the reaffirmation of nationalist tendencies there was a political obligation to prioritise full employment and the welfare state through an economic theory called "Keynesianism" with the idea of 'class compromise' and thus democratic conflict, regulated by liberal institutions.

The period from 1940 to 1970 has been defined as a phase of 'Embedded Liberalism' because the domestic and international order combined free market capitalism with Keynesian policies that implied certain restriction on the market and a relevant presence of the state in the domestic economy, in particular on industrial development (Harvey, 2007a). The state was the leading figure in industrial development, provision of public services such as education, healthcare and jobs. However, by the end of the 60's, Keynesian policies started to be questioned because of the fiscal crises, the high rates of inflation and consequent unemployment. The Bretton Woods system was showing the limitation of fixed exchange rates, removed in 1971. Gold could no longer be the tool on which the international economic order had to be based on and so, especially because the US was not the dominant economic player anymore, a change had to be made (Garber, 1993).

Inspired by the ideas emerged at the Walter Lippmann Colloquium, limited in action by the advent of the war, Hayek gave birth to the Mont Pelerin Society, where Neoliberalism was theoretically further developed. In the 1970s, the intellectual liberal organization of the Mont Pelerin Society took shape also through the promotion of liberal economists' think-tanks, as the Institute for Economic Affairs. The writings of Hayek spread fast also with the help of these 'Neoliberal agents' of propaganda. In the second chapter of "The Constitution of Liberty" Hayek (2012, p. 66) defines the idea of social justice as a 'mirage', which eventually becomes a 'coercion' on someone else's liberty and that can be defined more as a 'superstition' in which some people want to believe in, reducing it to a completely meaningless idea.

Hayek argued in favour of a clear separation between political power and economic power, on the basis that 'there is no political freedom without economic freedom'. By eliminating the central control of the economy and the ability of the state to intervene, the people (especially the ones coming from minorities) should be safer because the impersonality of the market cannot be, from his point of view, discriminatory, or at least no more than how individuals can be (See Hayek, 2009, p. 210).

Mirowski and Plehwe (2015, p. 428) define Neoliberalism (in its indefinability) as a 'thought collective' developed outside the public space by a group of scholars, carefully selected by Hayek and others, to create a private intellectual space to discuss the future of classical Liberalism. The Mont Pelerin Society slowly built an ideological framework that would have redefined the position of knowledge in politics, through an international network of intellectuals based in the US and Europe, committed to the neoliberal agenda. The process of Neoliberalism, thus, is not just a process of creation of an economic vision, it is a process of creation of an ideological thought.

> As argued by Harvey (2007a, p. 11): "The neoliberal project is to disembed capital from these constraints", referring to those regulations and limits imposed to the market to protect workers' rights and to prompt industrial development. Harvey also defines neoliberalism as "a utopian project to realize a theoretical design for the reorganization of international capitalism or as *a* political project to re-establish the conditions for capital accumulation and to restore the power of economic élites" (p. 19).

Neoliberalism developed as a system of values which stands for an absent role of the state into the economy. Privatisation, deregulation, flexibilisation of the job market and the elimination of related 'constraints' to the development of the 'free economy' are some of the main policies belonging to the Neoliberal world. However, some scholars have described the neoliberal state not as a further negation of the role of the state in the economy, but as a state with a new role, which now plays a particular part in favoring capital accumulation (Mirowski and Plehwe, 2015).

Authors such as Harvey (2007a, b) and Dumenil and Levy (2004a, b) were seeing a restoration of economic and class power, the reorganization of power relations after the crisis of Liberalism as a response to the threat to capitalist interests. In international relations, this was demonstrated by the subsequent rise in the income of the wealthiest in the UK, US, Russia, China. The cold war was won by the capitalists, at least on the cultural and hegemonic ground, and now the world started to look as a massive neoliberal network, which is unfair, selective and unequal.

The structural inequalities of Neoliberalism, a system that exploits the potential of capitalism to maximize growth, are based on capital accumulation, on the exploitation of migration and lower classes to guarantee surpluses while increasing production and reducing costs. Through what Harvey calls "Accumulation by dispossession" (2007a, p. 178), people are expropriated of their resources and dispossessed of their wealth. This wealth, instead of being created as professed by neoliberalism, is just redistributed from bottom to top, by imposing restrictive fiscal policies based on austerity. Austerity measures are directed at opening up the markets to leave private capital free to rise, at deregulating markets to attract foreign investments, at privatizing everything that under Keynesianism was considered a public wealth and at 'creating jobs' but never talking about full employment, as such perspective would lead to pressure for higher salaries by workers (see Duménil and Lévy, 2011).

Neoliberalism slowly became dominant and started to be consolidated with the accession to power of the US President Ronald Reagan and the British Prime Minister Margaret Thatcher, in the 80s. In the UK, Thatcher re-designed fiscal approaches, taken on against Trade Unions, accusing any appeal to state intervention and solidarity as unrealistic and harming for the economy, and started the process of privatization of state-owned enterprises, proposed tax cuts and supported deregulation to attract foreign investments. In 1981, the Volcker shocks[1] generated stagnation and economic recession, which was then cause of unemployment, something that forced those in debt with the US to initiate the structural adjustment programmes and something that favoured lenders. With the victory of Reagan in the 80s, the process started by Volcker continued, furthering tax cuts, spending cuts and deregulation, through which corporate interests were slowly deepened (Kitschelt, 1999, p. 378).

This framework concretized what is known as the Washington Consensus (In Williamson, 2003), a set of 10 economic prescriptions, or commandments, imposed by international financial institutions on developing countries, which served also as a first step towards global neoliberalisation (see Sheppard and Leitner, 2010).

1 The Federal Reserve aimed at reducing inflation through restrictionist monetary policies, increasing interest rates. By restricting the supply, interest rate grew and the economy stagnated (McCarthy, 2018).

In the last two decades, the process of neoliberalisation has reached its peak, generating growing wealth inequalities, hitting the lower and middle classes and retaining its place thanks to the 'normalization' of Neoliberalism and to the exploitation of Globalization (see Levitt, 2001). This was, for example, through some neoliberal trade agreements such as NAFTA (see McCarthy, 2004). As argued by Dowd (2005, p. 170) globalization worked as a way of governing (or not governing) the economy but also as an ideology which normalized the power of financial corporation over sovereign states.

How is it possible that "there are *(still)* no alternatives', as Margaret Thatcher said? How is it possible that we ended up legitimating a system that works against the interest of most of us? How do economic and political élites keep their position, through which rhetoric?

Ideology and Discourse: How Should We Frame Neoliberalism?

The debate between the Foucauldian School and the Marxist school accounts of Neoliberalism is also complex. Should we study Neoliberalism as a Discourse, thus a way in which knowledge is created and spread through social practices, which gets to shape the way in which we see our role in society (Weedon, 1987, p. 108)? Or, should we study it as an Ideology, thus as a way in which the individual consciousness and its social dimension is shaped with the attempt to serve the preservation of class relations (Purvis and Hunt, 1992)?

Neoliberalism entails a project of reorganization of financial capital (see Duménil and Lévy, 2004) which also impacts class dynamics. However, Neoliberalism can also be seen as a discourse, a set of practices forming economic relationships, which create patterns and trends to build the individual consumer (Hook, 2007).

In light of this debate, I believe that both the analysis of Neoliberalism as an Ideology (related to the structure of the economy and entailing class analysis) and the one of Neoliberalism as a Discourse (focused on how its narrative is constructed in order to normalize a political order through 'biopolitical governmentality')[2] are important to understand the broader picture of the Neoliberal hegemony and thus, as argued by Spinger (2012), we should use the Foucauldian and Marxist accounts discursively.

However, if the purpose is to study Neoliberalism as a class project, I believe that the Marxist account offers a more coherent tool of analysis of the development of Neoliberalism especially combined with the Gramscian analysis of Hegemony, as it allows to see the Neoliberal discourse as rooted in a particular ideological system which exploits capitalism to maintain class relations. And even if a lot should be said on the assumption that Foucault was, at his time, challenging the Neoliberal project (see Zamora 2015, 2018), I acknowledge the importance of Foucault in understanding how a dominant system develops specific 'discourses' which are able to reinforce values within societies through forms of disciplinary governance that normalizes conditions such as poverty or homelessness (see Willse, 2010).

Taking into account this distinction, we can define Neoliberalism as a particular Ideology which entails a specific 'discourse' or 'narrative'. To do so, we need to identify what are the deepest components of our ideological thinking that led to the naturalization and the unquestioned acceptance of the neoliberal dogmas, even when they generate wealth inequalities and economic violence for most of the people. In the UK, for example, the richest 1% has

2 Biopolitical governmentality refers to how the population is managed through governmentality practices finalized at matching the needs of the economy (Hamann,2009).

a portion of wealth equal to 57% of the poorest (Chu, 2018). While the system is falling apart, the neoliberal ideology remains largely unchallenged in the public discourse.

In his book, Eagleton (2014) offers a relevant reconstruction of the concept of ideology. He argues that it can be considered a contested concept, as a concept with a multitude of meanings useful for different understandings and purposes, different or opposite to each other's.

Althusser revolutionizes the classical Marxist account of ideology as false consciousness[3], stating that Ideology is the "product of our lived relations" (Eagleton, 2007, p. 30). For him, any attempt to define and objectify what is true and what is false, in relation to ideology is a misconception of what consciousness is. Ideology is a specific system of meanings that forms our social identity. Those meanings, which are constitutive of individuals in contemporary neoliberal societies, create the neoliberal citizen and generate the condition through which the same individuals get to be linked with product relations (Eagleton, 2007, p. 18). Althusser revolutionised the theory of ideology by proposing an affective theory of ideology. Ideology does not exclusively depend on the subject but is constructed by the subjective experience with society, bringing together cognitive (the way in which we break social constructions, for example) and non-cognitive parts (culture, traditions, social context, unconscious) (Hall, 1985).

For Althusser, ideology is subjective (but not relative) and it is 'affective'. Ideology cannot be merely approached as a cognitive process as it would not allow to see the 'affective' dimension—those emotions that form our ideology. One reason why the Neoliberal ideology became hegemonic, as argued by McChesney (2001), can be found in the attitude of global media in spreading consumerist values and promoting global markets, thus normalizing the neoliberal system and the neoliberal consumerist way of life. If ideology can entail falsity and mystification for some, it can entail emancipation and truth for others. The affective character of ideology offers an alternative as it opposes the explanation for which false beliefs can be 'corrected' with 'right' arguments, assuming a common understanding of what is true and what is not, of what knowledge is. Emotions play a fundamental role as they primarily affect the ideology of an individual, and the neoliberal ideology also remains unchallenged because it succeeded in normalizing some assumptions and making them unquestioned by most people. Thus, ideology is something deeper, entailing our values and our affectivity (Eagleton, 2007, p. 26).

According to Althusser (2016), the dominant Ideology is shaped through what he calls "Ideological state apparatuses" (ISAs). [4] However, he specifies ISAs are not to be confused with a 'Repressive State Apparatus' (RSA), which works primarily through violence and repression. There are many ISAs while just one RSA, even if ISAs, in turn, can include a degree of violence, as for example the disciplinary practices of school, the family and the church. The RSA works by safeguarding, and also using physical force, the stability of the system, to allow the conditions for relations of production to replicate also through ISAs.

Gramsci revolutionized this concept by arguing that a weak state works primarily by coercion, while a strong state would rather work primarily on hegemony, a notion that matches the neoliberal functioning. Mirowski and Plehwe (2015, p. 2) used the term 'Hegemonic Neoliberalism" to underline this characteristic .

3 This notion was first used by Engels to stress the idea that the capitalist rhetoric, by being naturalized, is internalized in the collective consciousness of the working class, thus understanding an Ideology as something that creates false knowledge of the world within the oppressed classes (Eagleton, 2007, p. 89).

4 ISAs are source of hegemonic domination but also of potential counter-hegemonic resistance (Althusser, 2006).

Television, Mass Media (see Van Dijk, 1995), the Internet and the school are just a few agencies which Althusser would identify as the ideological state apparatuses which reproduce neoliberal values, making it common sense. The role of surveillance, also, is a new apparatus which plays a key role in promoting the neoliberal way of life (see Gill, 1995).

The contradictions in which the RSA keeps its dominance, is evident in the way in which ISAs are linked to it. It is here, for Althusser, that the ruling ideology lies. It is in this space where the ruling ideology functions as harmonizer to soften and to hide the contradictions that emerge. The ISAs help to reproduce the conditions that maintain the power relations in place and the main source of this hegemonic normalization, for Althusser, is the apparatus of education. If we look at our education system, we can find links with the narrative of marketization. The privatization (total or partial) of school and universities and the introduction of tuition fees are a good example of this (see Davies and Bansel, 2007). The capitalist social formation can be guaranteed in many ways but more successfully in the school system, which has the compulsory attention of almost all of the young people for several hours every day (Althusser, 2016). The imposition of market criteria by governments, the imposition of meritocracy as brilliantly portrayed in the dystopian novel of Young (1958)[5], the idea of efficiency, growth and the objectification of culture are implemented constantly. The marketization of knowledge through system of biometric control, the electronic register to record attendances and marks through the spread of the myth of meritocracy with its own self-blaming, reinforce ideas of adequacy and inadequacy. Television is the device that has educated people to individualism by promoting a consumerist culture, the tool that has favoured the Eurocentric representation of the 'backward' global south, working according to the dominant narrative. The job market is where the attack to workers' rights in Europe has been evident and has deepened the divide between the overprotected capitalist class and the working class, where we learn very soon (and don't even question anymore) that the worker is a flexible entity which must fit the need of the market, working longer hours for lower wages and with less protection (see analysis by the Economic Policy Institute, Vox, 2018). A clear example of this is given by Rutherford and Frangi (2016) regarding the removal of the right of a worker to be reintegrated for unfair dismissal in Italy, done by a centre-left party in the name of 'modernity'.

Ideology is not a matter of empirical representation but is the product of the "lived relations" (Eagleton, 2007, p. 30) which in turn are generated by the superstructure, in the Marxist understanding of the term.

Neoliberalism can be defined as the dominant ideology of the modern liberal world (Monbiot, 2017), as it is the force that shapes our ideology through what Althusser calls "Ideological State Apparatuses", as it is an ideology which exploits the potential of Capitalism for further expansion and enrichment of a certain social class and as it is crystallized in material reality as a collective thought,

What is clear it is that when we study ideology, we can study how ideas are created or we can also study it in relation to power. The study of ideology through the analysis of power can help us in understanding how ideological thinking (the ways in which we make sense of social reality and we attribute meanings to things) is exploited to endure certain power relations (Thompson, 1985, p. 131). In this case, the Neoliberal ideology represents a process of commodification and monetisation of social and political life that gets to be internalized and reproduced by

5 Young's novel "*The Rise of the Meritocracy*" (1958) talks about a future hypothetic society, set in the UK, where 'merit' become the ordering element of society, replacing class conflict.

institutions and individuals with the aim to normalize a system of economic and political power that privileges some classes over others.

Neoliberalism: How to Make the Cage Visible, how to Resist It

If the literature around neoliberalism has evolved since 1970, none seem to be successful in designing practices of resistance and in designing another economic system (Kaul, 2008).

Gramsci offers important tools to deal with resistance and the invisibility of the neoliberal rhetoric, in particular in relation to the concept of counter-hegemony. The concept of counter-hegemony is about the development of a culture which is autonomous and alternative to the mainstream. Adamson (1983, p. 170) argues that the concept of Hegemony developed by Gramsci had two meanings. The first account of hegemony describes it as a concept used to refer to the dominant common sense shared by the civil society, the acceptance of the dominance of the state in its monopoly of the instruments of violence and repression. The second account of Hegemony, which he developed earlier analysing the bourgeois state, defines hegemony in relation to the mode of rule, the way in which a system governs by hegemonic means.

Gramsci analysed the hegemonic power of the bourgeoisie and showed how its power lied in the immense network of academics, intellectuals, politicians and businesses which was able to construct knowledge and make it 'universal', internalised by the subaltern. This trend can be found similarly in the development of neoliberalism and shows the validity of the concept of hegemony as a way of governing an order. Hegemony is about organizing consent and for Gramsci there is a way to organize a counter-hegemonic ideology and this can be done through the 'organization of dissent' and of subordinated interests through the construction of a similar network that prioritizes the need of ordinary workers and people in civil society (Carroll and Ratner, 2010).

Authors such as Torres (2013, p. 80) underline how ideology is strictly related to common sense, intended as what we feel to be the natural attitude in being a human and social being. Gramsci describes politics and class struggle as a fight for cultural hegemony, through the shaping of common sense. We share a certain common sense because we share some values and assumptions that make us believe that some realities are just 'there' and we do not question much the reason why they are there. This explains why common sense is never stable, why it can mean different things to different people, cultures, and so on. If common sense is variable, so we can challenge it, by avoiding playing by neoliberalism's rules.

This approach would entail an analysis of all the networks and systems that Neoliberalism has created an institutionalized in the time, starting with the role of language (see Cardillo, 2017). The recuperation of a vocabulary that expresses the need and the reality of most people in this world seems inevitable to avoid what Pecheux defined as a process of "forgetting" (in Eagleton, 2014, p. 196): people identify with the mainstream narrative that shaped their ideology and at one point they 'forget' to be part of this ideological narrative and get to live and act in a certain way, without recognizing that they are losing autonomy in defining their own ideology, while unknowingly serving a certain order. When this happens, people become instruments through which the dominant narrative gets diffused and through which the Neoliberal society is preserved.

Today the hegemonic project of Neoliberalism is being questioned. Movements that have autonomously generated to fight Neoliberalism and its policies, are many: from the Occupy Wall Street movement to the Indignados

movement, to the Arab Spring and the bread riots. These movements have shown that a new common sense can emerge by participating in the struggle for hegemony, but more important, by regaining autonomy and moving away from a 'neoliberal-centrist' view of economics. Gramsci, as Torres (2013) argues, wrote that hegemony is a contested element, it is not permanent nor temporary, it is a contested ring where the battle for cultural hegemony takes continuously place.

The dimension of the neoliberal ideology has been global, affecting also countries such as China, which defines itself as a communist system but has given up to the supremacy of the market (Ha-Joon Chang, 2017). Left-wing social democratic parties have recently failed to understand the enormous discontent that was emerging against the political and economic system developed in Europe, and more than all they have failed to deal with the structural growing inequalities of a system that they were unconsciously or consciously implementing (Hermann, 2007). The lack of an autonomous ideological dimension able to unite those that do not benefit from a neoliberal world, have located the left away from the battleground of hegemony, leaving space to the nationalist and xenophobic narrative of right-wing nationalism all over the world.

What a counter-hegemonic project must do, is moving within the space of the neoliberal common sense to challenge those assumptions from the inside. Alternatives to market fundamentalism have never taken into account neoliberalism as an ideology, always remaining within the boundaries of neoliberal dogmas. This universalization of economic knowledge has not left any alternative to subordinated classes, if not to use the language and the dominant system of ideas proper of the small group benefiting from the neoliberal common sense (Torres, 2013, p. 100). In relation to knowledge, Kaul (2008) shows how economics is not just a mathematical or scientific field, but on the contrary, it is the product of a historical debate between different actors over the idea of knowledge and how economics is thus the product of many components; history, geography, time, ideology. Such a position opens the possibility to question the economic system, to rethink it and to refuse its claimed 'naturalness'. Presently, economics is a subject that relies on the assumption of the universal character of knowledge, relying on one narration of history and on one view of what constitutes a legitimate justification of knowledge: the narration deriving from Western enlightenment and therefore, the modern economic theory is heavily affected by a Eurocentric narrative (p. 19-30).

Since this theory of economic knowledge is based on the idea that politics and economics must be taken separately, the first step towards a counter-hegemonic ideology is the undermining of the very basic 'medicine' that it is imposed on all societies, regardless of their peculiarities and differences in time, by using development to drive private interests (see Escobar, 2011). As argued by Kaul (2008, p. 220) we need to rewrite the concept of identity in politics and economics, thinking of identities as something transnational.

We thus need to undertake a process of deconstruction of the economic and the market as something already fixed and 'already there'. This necessity comes from the reality that a system so crystallized and developed does not leave space for any reform because any different understanding of the economy would clash with the economic pre-packaged structure, making any proposal inefficient and counterproductive. If we are able to intend theories as something plural and diverse, instead of basing our economic theories on universal claims, we will be able to write a new economic theory from the perspective of those who have been "Otherized". Together with that, we need to develop a critique that distances itself from the idea spread by the modernist vision of knowledge, understanding the process of criticizing as a theoretical process (Kaul, 2008, p. 228). This process would open a space to challenge how identities and categories have been framed in political and economic life.

A postcolonial approach to the question of wealth inequalities and economic development (see McEwan, 2001) is fundamental to rewrite the economic order from the perspective of the exploited, with their concepts, discourses and goals to challenge the Eurocentric justification of knowledge superiority that makes economics a pure matter of mathematics, divided from politics and society. The contrary is true: the economic system we all contribute to reinforce, reproduce and keep alive is based on the assumption, to recall Margaret Thatcher, that the rules cannot be changed if not by dealing with the mechanisms and theories that have dominated since 1970s, because 'there is no alternative'. A new consensus can be constructed, a new common sense and a new hegemony can be developed if those who oppose Neoliberalism are able to regain their autonomy, to organize their common interests and their understanding of what an equal and just society should look like.

Conclusion

In this paper I have argued that if we want to understand Neoliberalism, we need to study it as an ideology. If we want to change the dominant ideology, thus, we need to change the material condition of our social world. Raising awareness and spreading consciousness about what Neoliberalism is and how it is affecting us can be helpful to challenge it externally. However, this is not enough if we want to change the common sense (see Gramsci, 2007, p. 173) and to challenge it internally. We need to deconstruct it in order to understand its darkest dynamics and challenge it by changing the hegemonic discourse that normalized it, first by regaining an autonomous vocabulary. The neoliberal rhetoric, with the ideas of efficiency, growth, competition and its popular narrative, needs to be challenged on the hegemonic ground. At the same time, we need to change the common sense through an act of sentimental reconnection with the masses, if we want to organize and represent them, if we want to give them the right tools to resist Neoliberalism and, as Kaul has argued, if we want to rewrite economics and the social order: "anOther way" (Kaul, 2009), thus from the perspective of the subordinated.

Through the process of Neoliberalisation, which entails for a greater degree a process of widening the gap between the rich and the poor, privatization of public assets, and commodification of many areas of life, a specific ideology was spread.

I have investigated the concept of ideology and argued that the different but complementary accounts given by Althusser and Gramsci explain how Neoliberalism became hegemonic, by spreading a culture made of consumerism, individualism, competition and social stratification. I have looked at how Neoliberalism is about dividing people, trying to form the perfect neoliberal consumer that must be separated from any class contest. The Neoliberal culture has neglected every individual of his class condition, taking him away from those with the same interests and suffering the same economic injustices, by spreading an individualistic culture and a kind of freedom which is recognized just within the market principles. In less than 40 years, the neoliberal ideology has changed our way of life. A culture of passivity, acceptance, individualism and competition against fellows has become the reality, and the global financial elite still benefits from a system that impoverishes the many and enrich the few. I have shown how Neoliberalism has been able to create a culture of fear and insecurity that exploits for its purposes. Various modern (neoliberal) ideological apparatuses are trying to divert the public from the real roots of poverty and wealth inequalities. The security narrative today relies on the fear of the different, on the fear of 'the terrorist' and of the invasion of an 'uncivilized' culture. This has moved the attention and the conflict away from the process of wealth expropriation and this narrative is gathering strength and hegemonic power, rendering the conflict horizontal, between those at the bottom of the social pyramid. Neoliberalism is the common sense of the modern time. A

conscious class made of ordinary people must be empowered and emancipated by the neoliberal rhetoric and an international political movement able to set the agenda, able to re-connect effectively with the masses could create awareness and promote resistance to a system of power that serves the few. The class project of Neoliberalism must be challenged culturally and politically, trying to question its assumptions and to fight its political plan.

References

Adamson, W. (1983). *Hegemony and revolution*. Berkeley: University of California Press.

Althusser, L. (2006). Ideology and ideological state apparatuses (notes towards an investigation). *The anthropology of the state: A reader*, *9*(1), 86-98.

Anderson, P. (2000). Beyond neoliberalism. *The Other Davos: The Globalization of Resistance to the World Economic System. Available online at http://www.religion-online. org/showbook. asp*.

Cardillo, N. (2017). The power of language: a critical discourse analysis of IRA's statements. Online International Journal of Philosophy, [online] (23), pp.151-169. Available at: http://www.metabasis.it/articoli/23/23_Cardillo.pdf [Accessed 7 Apr. 2018].

Carroll, W.K. and Ratner, R.S. (2010). Social movements and counter-hegemony: Lessons from the field. *New Proposals: Journal of Marxism and Interdisciplinary Inquiry*, *4*(1), pp.7-22.

Chang, H.J. (2012). *23 things they don't tell you about capitalism*. Bloomsbury Publishing USA.

Chu, B. (2018). Richest 1% 'have as much wealth as the poorest 57%'. [online] The Independent. Available at:

https://www.independent.co.uk/news/uk/home-news/inequality-richest-one-per-cent-have-as-much-wealth-as-the-poorest-57-per-cent-combined-a677901.html [Accessed 7 Apr. 2018].

Davies, B. and Bansel, P. (2007). Neoliberalism and education. International journal of qualitative studies in education, 20(3), pp.247-259.

Dowd, D. (2015). *Capitalism and Its Economics*. London: Pluto Press, pp. 168,173.

Duménil, G. and Lévy, D. (2004a). *Capital resurgent: Roots of the neoliberal revolution*. Harvard University Press.

Duménil, G. and Lévy, D. (2004b). The Neoliberal Compact. *New Left Review*, *30*, p.105.

Duménil, G. & Lévy, D. (2011). The crisis of neoliberalism. Harvard University Press.

Eagleton, T. (2014). Ideology. Routledge.

Escobar, A. (2011). *Encountering development: The making and unmaking of the Third World*. Princeton University Press.

Garber, P.M. (1993). The collapse of the Bretton Woods fixed exchange rate system. In *A Retrospective on the Bretton Woods system: Lessons for international monetary reform* (pp. 461-494). University of Chicago Press.

Gill, S. (1995). The global panopticon? The neoliberal state, economic life, and democratic surveillance. *Alternatives*, *20*(1), pp.1-49.

Gramsci, A. (2007). Prison notebooks. New York: Columbia University Press.

Hall, S. (1985). Signification, representation, ideology: Althusser and the

post-structuralist debates. *Critical Studies in Media Communication*, *2*(2), pp.91-114.

Hamann, T.H. (2009). Neoliberalism, governmentality, and ethics. *Foucault studies*, pp.37-59.

Harvey, D (2007a). *A brief history of neoliberalism.* Oxford University Press, USA.

Harvey, D. (2007b). *Neoliberalism as creative destruction*. The annals of the American academy of political and social science, 610(1), pp.21-44.

Hayek, F. (2009). *The road to serfdom*. London: Routledge.

Hayek, F.A. (2012). *Law, legislation and liberty, volume 2: The mirage of social justice* (Vol. 2). University of Chicago Press.

Held, D. (1993). Liberalism, Marxism, and democracy. Theory and Society, 22(2), pp.249-281.

Hermann, C. (2007). Neoliberalism in the European Union. *Studies in Political Economy*, 79(1), pp.61-90.

Hook, D. (2007). Discourse, knowledge, materiality, history: Foucault and discourse analysis. In Foucault, Psychology and the Analytics of Power (pp.100-137). Palgrave Macmillan, London.

Kaul, N. (2008). *Imagining economics otherwise*. New Delhi: Routledge, pp.29-32, 219-241

Kitschelt, H. (1999). *Continuity and change in contemporary capitalism*. Cambridge University Press.

Levitt, T. (2001). The globalization of markets. *Marketing: critical perspectives on Business and Management*, *39*, p.445.

McCarthy, M. (2018). *The Monetary Hawks*. [online] Jacobinmag.com. Available at:

https://www.jacobinmag.com/2016/08/paul-volcker-ronald-reagan-fed-shok-inflation-unions/ [Accessed 12 Apr. 2018].

McChesney, R.W. (2001). Global media, neoliberalism, and imperialism. *Monthly Review*, *52*(10), p.1.

McEwan, C. (2001). Postcolonialism, feminism and development: intersections and dilemmas. *Progress in Development Studies*, *1*(2), pp.93-111.

Mirowski, P. and Plehwe, D. (2015). *The road from mont Pèlerin: The making of the neoliberal thought collective, with a new preface*. Harvard University Press.

Monbiot, G. (2017). Neoliberalism – the ideology at the root of all our problems. [online] the Guardian. Available at: https://www.theguardian.com/books/2016/apr/15/neoliberalism-ideology-poblem-george-monbiot [Accessed 07 Apr. 2017].

Raico, R. (1991). Liberalism, Marxism, and the state. Cato J., 11, 391.

Reinhoudt, J. and Audier, S. (2017). *The Walter Lippmann Colloquium: The Birth of Neo-Liberalism*. Springer.

Rutherford, T. and Frangi, L. (2016). Overturning Italy's Article 18: Exogenous and endogenous pressures, and role of the state. *Economic and Industrial Democracy*, pp.1-19.

Sheppard, E. and Leitner, H. (2010). Quo vadis neoliberalism? The remaking of global capitalist governance after the Washington Consensus. *Geoforum*, *41*(2), pp.185-194.

Thompson, J. (1985). *Studies in the theory of ideology*. Berkeley: University of California Press, p.131.

Thorsen, D.E. (2010). The Neoliberal Challenge-What is Neoliberalism. *Contemp. Readings L. & Soc. Just.*, *2*, p.188.

Torres, C.A. (2013). Neoliberalism as a new historical bloc: A Gramscian analysis of neoliberalism's common sense in education. *International Studies in Sociology of Education*, *23*(2), pp.80-106.

Van Dijk, T.A. (1995). The mass media today: Discourses of domination or diversity?. *Javnost-The Public*, *2*(2), pp.27-45.

Weedon, C. (1987). Discourse, power, and resistance. Feminist practice and poststructuralist theory, pp.107-135.

Williamson, J. (2003). The Washington consensus and beyond. *Economic and Political Weekly*, pp.1475-1481.

Willse, C. (2010). Neo-liberal biopolitics and the invention of chronic homelessness. *Economy and Society*, *39*(2), pp.155-184.

Young, M.D. (1958). *The rise of the meritocracy*. Transaction Publishers.

Zamora, D. and Behrent, M. (2015). *Foucault and neoliberalism*. Malden, MA: Polity Press.

Zamora, D. (2018). *Can We Criticize Foucault?*. [online] Jacobinmag.com. Available at: https://www.jacobinmag.com/2014/12/foucault-interview/ [Accessed 7 Feb. 2018].

4

ALTERNATIVE VOICES… THEORIES BEYOND THE STATE

Megan Jessie Asplin

Introduction

The current global system is one focused on self-interested states, who use their money and weapons to gain influence. This influence is often at the expense of human lives and the economies of developing countries. Within this system, individual voices on both the national and international stages get lost behind the boisterous dialogue of state security, terrorism and even Brexit.

There are two ideologies that go far beyond the boundaries of the State; Cosmopolitanism and Anarchism. Despite appearing to be the opposite of each other, these two theories have more in common than you might think. They share similar themes, including cooperation and peace. Most importantly, they share the same battle. This is not only the struggle against the self-interested State, but the struggle to be seen as more than just a utopian ideal. This paper will explore both of these ideologies and their similarities.

The motives for this paper lie within a personal fascination of both Cosmopolitanism and Anarchism. With a previous paper on Cosmopolitanism and a Global Assembly, something an Anarchist would be diametrically opposed to, this led to a personal need to justify the desire to pursue both academically. How could someone pursue both Cosmopolitanism and Anarchism? Were they just a juxtaposition of each other? However, by investigating and analysing their fundamental core beliefs, I realised they are not as different as we would assume.

Within this paper, I will explain both ideologies, introducing their history and core beliefs, by doing this I will be highlighting the key themes in these two ideologies. Using these key themes, I will compare Cosmopolitanism and Anarchism and then explore them within the context of the Internet. This is due to the Internet being the prime example of where both ideologies exist.

A few words on Cosmopolitanism…

The use of the word cosmopolitanism is traced back to the Ancient Greek Stoics, with their goal being to replace 'the primary individual's relation to the polis with the idea of the cosmos as encompassing the whole of humanity in an ideal of universal belonging' (Held, 2010, p.15). There was a rise in Cosmopolitanism thought in the Age of Enlightenment due to the rise of capitalism and world trade as a result of growing Empires. The most notable thinker in Cosmopolitan thought is Immanuel Kant. In his book 'Towards Perpetual Peace' (1795), he advocates for a 'league of nations' and explains that world-wide peace is only possible if states voluntarily organise themselves according to republican principles (Kleingeld and Brown, 2013). Kant was the first to discuss the concept of Cosmopolitan Law. As our world became more and more globalized throughout the next centuries, the discussions surrounding Cosmopolitanism grew.

Cosmopolitanism is an ideology with a range of concepts and moral values, however its core belief is that all human beings are citizens of a global community (Kleingeld and Brown, 2013). The ideology has been split into two, between 'thick' and 'thin' cosmopolitanism. The Thick Cosmopolitanism belief is that 'all moral principles must be justified by showing that they give equal weight to the claim to everyone' (Miller cited in Held, 2010, p78). Whereas Thin Cosmopolitanism is the belief that all humans are morally equal, but there is no obligation derived from this. Both agree that all humans are morally equal, however the level of moral responsibility for other human beings differs. Thin Cosmopolitanism identifies and feels compassion for those vulnerable due to the asymmetric power balance, yet does nothing fundamentally to change it (Dobson, 2006). Thick Cosmopolitanism, on the other hand, would mean providing social and economic support to those in a vulnerable position as it is their obligation due to their global citizenship.

David Held (2010) defined eight principles of Cosmopolitanism. These principles can be universally shared in order to defend mankind. The first principle is that all human beings are of equal worth and therefore deserve equal respect and consideration. The second is that all humans have active agency; in other terms, they are rational and able to make decisions. The third is the concept of personal responsibility; meaning every individual is accountable for their actions. This is due to principles one and two. The fourth is the principle of consent; the idea that there is no coercive behaviour in any collective global governance. Collective decision making is the fifth principle. The sixth principle involves inclusivity and subsidiarity. The avoidance of serious harm is the seventh principle, which is where peace and human right themes enter the discussion. The final principle of Held's Cosmopolitanism (2010) is sustainability. This principle refers to sustainable development and regulation of the earth's irreplaceable resources.

There are various ideas and writing within the ideology of Cosmopolitanism, however the analysis within this paper will mainly focus on Held's eight principles as his writings define Cosmopolitanism in clear and concise principles, making it easy to analyse and compare.

A few words on Anarchism…

The true origins of Anarchism are unclear; however some elements have been traced back to ancient philosophy, in the writings and discussions of the Greek Stoics and Chinese Taoists (Marshall, 2008). However, the first substantial writings of Anarchism developed in the Age of Enlightenment. Within this era, two names arise: William Godwin (1756-1836) and Pierre-Joseph Proudhon (1809–1865). Godwin never declared himself an anarchist, nonetheless his writings, in particular 'Enquiry Concerning Political Justice' (1793) has been hailed the first of anarchist writings. Some textbooks go as far as naming him the 'Father of Anarchism' (Wenzer, 2006). Proudhon, on the other hand, was the first self-proclaimed anarchist. Both Godwin and Proudhon are classed as Classical Anarchists, along with Max Stirner, Peter Kropotkin and Mikhail Bakunin.

The Beauty of Anarchism is that it has a variety of factions, all of which could fall on either side of the political spectrum. This is evident within the classical anarchists, listed above, who were the founders of both Anarcho-individualism and Anarcho-collectivism. Two set of beliefs that are classed as polar opposites, yet all are encapsulated in the single ideology of Anarchism. All the different factions are divided on their opinions on human nature, the organisation of a stateless society and their methods to achieve their goals, but united on their opposition of the state due to it being evil, corrupting and unnatural.

Over the years, Anarchism has been associated with violence, with the discourse surrounding it including language such as terrorist, chaos and destruction. The whole ideology was painted as being Nihilistic, when in fact only a tiny fraction of Anarchists can be classed as a Nihilist. Out of the Classical Anarchist mentioned earlier, only Bakunin advocated for destruction (Marshall, 2008). However, it must be noted that Stirner's Work has be used to justify Nihilism. During and after the Second World War, there were a number of Anarchists that advocated for Anarcho-Pacifism, for example, Colin Ward and Alex Comfort.

There have been several attempts at Anarchism throughout History; notably within both the Spanish Civil War and the French Revolution. There have also been various communes that have popped up around the world. However, none have made a lasting impact on the order and status quo of the global stage. Despite the term Anarchy being used in International Relation studies, the political theory of Anarchism is rarely used (Pfenninger, 2015).

Within this paper and its analysis, there are a few key elements it will focus on; Autonomy and individual responsibility; equality; self-governance; the critique of the State. Autonomy and individual responsibility is one of the core values of Anarchism and is the one value that is shared to some degree between all factions. Individual responsibility, sometimes known as personal responsibility, is the concept that humans choose their own actions, therefore are morally accountable for them. Autonomy, on the other hand, is defined as the right to make your own decisions yourself (Cambridge Dictionary, n.d.). Autonomy is the right to freedom of the individual, individual responsibility is a consequence of this. Self-governance is linked to these concepts. Self-governance in Anarcho-Individualism would be single-handed be the responsibility of the individual, whereas in Anarcho-Communism/ Anarcho-Collectivism, self- governance is a joint responsibility between all members of the commune. Despite having to adhere to the rules of the commune, the individuals still retain their autonomy as they can leave the commune at any point and they have a role in the decision-making.

Equality is a value mostly adhered to on the left side of the ideology, within Anarcho-Communism. Anarcho-Communists believe they can achieve equality through common ownership of land and production. It could be argued that all Anarchism advocates some form of equality, due to the belief in autonomy. In theory, everyone has the equality power as they all have power over themselves, with one to stop/control themselves.

The most important element of Anarchism is their critique of the State; it is the one factor linking all the factions together. Anarchists take the liberal belief that 'power tends to corrupt, absolute power corrupts absolutely' to the extreme (Acton, 1887). They believe the State is corrupting, oppressive, unnatural and will even go as far as calling it 'evil'.

Anarchism versus Cosmopolitanism

After identifying the key focuses of both ideologies, it is now possible to draw comparisons.

There is one main principle that is shared between both ideologies – individual responsibility. The individual responsibility suggests that all humans are rational, therefore they have the ability to make decisions for themselves. If they have the ability to make a decision, they can be held accountable for this decision. This principle is core in both Cosmopolitanism and Anarchism and provides the justification for further beliefs in both ideologies. For example: in Cosmopolitanism, the principle of individual responsibility means that all humans are morally equal and accountable. It provides a justification for the fourth and fifth principles; consent and collective decision-

making. It also provides weight to the seventh principle, which is the avoidance of serious harm. In Anarchism, individual responsibility provides the justification for why the State is unnecessary and unnatural. It also provides evidence that society has an ability to maintain order without the State.

Sustainability is one of Held's eight principles of Cosmopolitanism and is often a driver in Cosmopolitan thought (Held, 2010). The need for sustainability in a world with limited resources and the looming threat of climate change, often leads to global communication between countries and concerned citizens. However, sustainability is not an issue purely for Cosmopolitans, it has been an issue tackled in Anarchist groups too. The best example is a commune in Copenhagen, Denmark, called Christiania Freetown. This commune covers more than 85 acres and has nearly a thousand residents. Although it is debatable whether Christiania Freetown is truly Anarchist today, it was founded in 1971 on Anarchist and Squatter principles (Jacobi, 2005). The important part of this community is its drive for sustainability. Not just its sustainability away from the State, but in the sense of ecological sustainability. Christiania Freetown recycles; it is a no automobile area and the community is committed to preserving the nature within the area. The essence of their founding is arguably in the spirit of sustainability. They took a disused military facility and transformed it into an area to live and thrive. Some urban planners are beginning to investigate Christiania Freetown—perhaps the story of Christiania Freetown is something cosmopolitans should look into too.

Both Cosmopolitanism and Anarchism oppose traditional state sovereignty and national identity. Both of these concepts are engraved in today's geopolitics. Cosmopolitanism challenges national identity by breaking down the 'us' vs 'them' complex of nationalism, and emphasises the fundamental idea that we are all humans, therefore all equal in value and worth. Anarchism rejects the whole concept of a nation state, therefore both the idea of state sovereignty and national identity, believing it is corrupting, unnatural and evil. Cosmopolitanism attacks state sovereignty from the outside on a supranational level, whereas Anarchism tends to attack the State from the inside, on a more local and community level.

Due to the concepts of state sovereignty and national identity being intricately engraved in our society's consciousness and world order, critics dismiss both Cosmopolitanism and Anarchism as utopian ideals that are impossible to achieve. Both ideologies have to fight for legitimacy and respect on the political stage, though Cosmopolitanism, despite the recent rise in nationalism across the globe, is in a much better position than Anarchism. Anarchists are still dismissed as either 'violent hooligans' or 'loopy hippies'. Nevertheless, both are combatants in the ongoing battle against the state-centrist system.

The Internet: The Place Where Two Ideologies Co-exist

The Internet is the perfect example of Cosmopolitanism and Anarchism colliding. A global platform with millions of networks, distributing information from one side of the world to the other. A system that is hard to comprehend, let alone control. The anonymity and open access to the Internet brings a sense of freedom to the user, on a global scale.

The anonymity of the Internet can create a sense of freedom as you can be whoever you want to be. Cyber-feminists in the 90s saw this as an opportunity to break free from the confines of gender norms. On the Internet, there is a possibility to escape your gender, class, ethnicity or anything that you face discrimination in. It is the ultimate autonomy. However, people have abused this anonymity, as seen on the Dark Web.

The Dark Web refers to the part of the Internet that you can only access via special software—due to this it is completely untraceable and anonymous. It is here where illegal activities are enabled, such as arms dealing and human trafficking. The illegal activities within this area of the web may suggest a darker side of human nature and that Anarchism and Cosmopolitanism are impossible as humans cannot be trusted without strict governmental control. However, the issue with the Internet and why it is not an accurate representation of these two ideologies, is because the anonymity stops any individual responsibility. The individual cannot be held accountable, as no one knows their identity. The anonymity stops the responsibility.

In order to tackle the illegality within the dark web and the rest of the Internet, governments are trying to regulate and control the Internet. Their attempts have been particularly futile to the Dark Web, however to innocent citizens this is not the case. The expansion of social media means we are becoming increasingly less anonymous on the Internet. Companies can access a variety of information about you and what they do with that is up to them. (The Cambridge Analytica Scandal is the perfect example). Could this affect our anonymity on the Internet and is this really freedom?

Despite the controversies surrounding the Internet, I believe the Internet is an essential tool for both Cosmopolitanism and Anarchism. It provides an individual with the power to discuss their ideas and to organise, something that is utilised by 'evil' forces on the Dark Web, therefore forces of 'good' need to do the same. Plus the poetic justice of a tool first designed for the military, the epitome of state power, being that leads to its demise.

The Internet also allows them to explore concepts, outside 'reality', such as human nature. As previously discussed, the Internet can provide an insight into human nature and what they would do in absolute freedom. It also allows us to share ideas and connect to those who think alike, even if they are miles away from us. Maybe this is the key to global success for either Cosmopolitanism or Anarchism.

Conclusion

Cosmopolitanism and Anarchism share key values and concepts, such as individual responsibility and sustainability, and both critique and challenge the State and the current world order. As a result of this, I believe both ideologies should engage with each other. Cosmopolitanism could develop its ideas surroundings sustainability and collective decision-making featuring inclusivity and subsidiarity, from Anarchist thoughts and experience. Whereas Anarchism needs to learn how to adapt to the globalised world, which is certainly something it can learn from Cosmopolitan Philosophy.

The Internet could be seen as an example of global Anarchism, as it is Anarchic in Nature, however it does include state actors and lacks individual responsibility, which is a core belief in Anarchism. The lack of individual responsibility is what causes people to act irresponsibly and immoral on the Internet, thus it is not a good representation of Anarchism. Individual responsibility is essential for maintaining order and peace in both a Cosmopolitan or Anarchist Society.

The Internet is an essential tool for both ideologies as it could be the tool needed to make either or both ideologies a success. It can be used as a tool to organise and inform people, therefore they should use it. Whether or not they do, I believe that Cosmopolitan thought and Anarchist philosophy are not as far apart as one might think, and if they engage with each other, might be able to make one of them a success.

References

Cambridge University Press. (n.d.). Autonomy. *Cambridge Dictionary.* Available from https://dictionary.cambridge.org/dictionary/english/autonomy [Accessed on 9 May 2018]

Coppaola, A. and Vanolo, A. (2015) Normalising autonomous spaces: Ongoing transformations in Christiania, Copenhagen. *Urban Studies*, 52(6) 1152-1168

Dobson, A. (2006). Thick Cosmopolitanism. *Political Studies,* 54, 165-184. Available from https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1467-9248.2006.00571.x [Accessed on 9 May 2018]

Held, D. (2005). Principles of Cosmopolitanism Order. *Anales de la Cátedra Francisco Suárez,* 39, 153-169.

Held, D. (2010). *Cosmopolitanism, Ideals and Realities.* Great Britain: Polity Press

Jacobi, S. (2005) *Christiania Guide.* Christiania, Denmark: Lassen Offset.

Kabay, M.E. (2001). Unclear on concept, Anarchy and the Internet. *Ubiquity,* 31 August. Available from https://ubiquity-acm-org.ezproxy.westminster.ac.uk/article.cfm?id=501276 [Accessed on 10 May 2018].

Kleingeld, P. Brown, E. (2013). Cosmopolitanism. *Stanford Encyclopaedia of Philosophy.* Available from https://plato.stanford.edu/entries/cosmopolitanism/ [Accessed on 9 May 2018]

Levy, C. (2011). Anarchism and Cosmopolitanism. *Journal of Political Ideologies,* 16(3), 265-278

Marshall, P. (2008) *Demanding the impossible: A history of Anarchism. 3rd ed.* London: Harper Perennial

Pfenninger, C. (2015). The Virtues of Anarchism. *E-International Relations.* Available from https://www.e-ir.info/2015/10/26/the-virtues-of-anarchism/ [Accessed on 2 May 2018]

Vanolo, A. (2013) Alternative Capitalism and Creative Economy: the case of Christiania. *International Journal of Urban and Regional Research*, 37(5) 11785-11798

Wenzer, K.C. (2006). Godwin's Place in the Anarchist Tradition - a Bicentennial Tribute. *Social Anarchism,* 20. Available from http://www.socialanarchism.org/mod/magazine/display/27/index.php [Accessed on 2 May 2018]

5

SOVEREIGNTY IN CONTEXT: THE IMPLICATION OF WAR ON TERROR

Khalil Rahman Sabawoon

Introduction

In the study of Politics and International Relations, "there is perhaps no conception the meaning of which is more controversial than that of sovereignty. It is an indisputable fact that this conception, from the moment when it was introduced into political science, until the present day, has never had a meaning which was universally agreed upon." (Oppenheim, 2006). Moreover, the concept of sovereignty has seen multiple challenges, be it; colonialism, globalization and currently the war on terror. This paper attempts to answer the question 'to what extent has the global war on terror undermined the traditional notion of sovereignty?'. It argues that the war on terror has significantly undermined the notion of sovereignty. By examining the Bush doctrine, particularly the National Security Strategy 2002 (henceforth, NSS, 2002), as it is a blueprint of "war on terror," in context of sovereignty as well as by providing examples which demonstrate its manifestation in the war on terror. This paper is divided into two parts. The first part discusses the concept of sovereignty and its evolution demonstrating that, historically, sovereignty has evolved. It discusses how the invention of the printing press was used to challenge the authority of the Pope followed by the extreme religious wars which ended by the Treaty of Westphalia. It also highlights that the French Revolution and the American Civil War contributed to the transformation of sovereignty from absolute monarchs to modern nation-states and finally it provides an account of United Nations' Charter regarding sovereignty. This will help us understand the history and emergence of the concept in relation to the state, because before the emergence of modern nation-state the sovereign was either monarchs or religious figures, moreover, the discussion on the United Nations will help us understand the legal position of states in international relations.

The second part provides debates on sovereignty to highlight that sovereignty is a contentious phenomenon which has been perceived differently by various scholars. Although there are different approaches and theories of sovereignty, I will only focus on sovereignty as conditional; states sovereignty should be treated based on their human rights record, sovereignty as organised hypocrisy; powerful states have violated sovereignty of less powerful states repeatedly whenever it suits their interest, hence the challenges to sovereignty is not a new phenomenon. Sovereignty as relative; sovereignty is not absolute, and it has been changing since its inception. It concludes that sovereignty is ambiguous, contested and not absolute, and it is relatively dependent on external factors, and it must be treated with the sovereignty of other states.

The third part discusses definitions of terrorism highlighting that terrorism has no universally accepted definition. Moreover, the word terrorism is used to be associated with state terrorism, such as the terror regime of French revolutionaries, however, the terror techniques were adopted by non-state actors such as the IRA and Al Qaeda to instill fear into the public. The second section discusses the War on Terror in relation to National Security Strategy, 2002 (henceforth, NSS, 2002) in which the War on Terror was initially declared. The NSS 2002 blurs the lines between pre-emptive and preventive strategy, undermining the current international system. The idea of a pre-emptive attack is based on an imminent threat. If a country believes an adversary will attack, they can

place themselves in an advantageous position by attacking first. However, the idea behind a preventive attack is based solely on fear and assumption (Mueller, 2006). In addition, the former is legal according Article 51 of UN Charter and the latter is illegal (Schmitt, 2003). Furthermore, this section will discuss the changing paradigm of sovereignty in the global War on Terror, as it extends the sovereignty of the USA to any country which harbours a terrorist who allegedly threatens US national security. It is highlighted in drone strikes by the USA in Pakistan, Yemen and Somalia.

This paper concludes that the War on Terror has significantly undermined the notion of sovereignty and it has opened the door to powerful states to use terrorism as an excuse to attack other less powerful sovereign states. For instance, Turkey conducted a military operation in Syria against a Kurdish group, Russia attacked Georgia in 2008 and annexed Crimea due to fear of NATO. Moreover, the War on Terror has undermined the international notion of human rights. The USA has, under the guise of the War on Terror, systematically violated individuals human rights, for example, the treatment of prisoners in Guantanamo Bay and Abu Ghraib.

Sovereignty: Continuity and Change

Sovereignty is a highly contested concept. As Oppenheim (2006) notes, "no concept in politics is more debatable and contentious than sovereignty and it has no universally accepted definition since its inception". Nonetheless, its meaning could be traced back to the idea of supremacy. Black Law dictionary (2004) defines sovereignty as a "person, body, or state entrusted with independent and highest authority". Moreover, scholars such as Bodin, Grotius, and Hobbes views sovereignty as the highest rank of political authority. For instance, according to Bodin sovereignty is "the highest absolute and perpetual power over the citizens and subjects in a commonwealth" i.e. "the greatest power to command." (cited in Abiew, 1999, p27). Hugo Grotius refers to sovereignty as "that power whose acts are not subject to the control of another so that they may be made void by the act of any other human will" (ibid), and Hobbes referred to sovereignty as "absolute, unified, inalienable, based upon a voluntary but irrevocable contract." (ibid, p28).

The concept of sovereignty in International Relations is mostly discussed in relation to states. In other words, in international arenas, such as the United Nations, states are treated as sovereign actors or entities (UN Charter, 1945). To understand the relation between sovereignty and modern states it is necessary to discuss the evolution of modern states. Although it is not possible to discuss the evolution of sovereignty and modern states in detail in this paper, however, a brief outline of the most important dates will be sufficient to highlight the emergence of states as sovereign which will contextualise the concept of sovereignty in relation to states.

The Evolution and Emergence of Sovereignty

It is highly unlikely to trace the development of modern states, i.e., sovereign-states to one specific time or series of events due to its long evolutionary history which according to Russet et al. (2000) goes 7000 years back to city-states and empires like Tigris, Euphrates, and the Nile. Besides, pre-modern states and empires constituted some features of modern states and lacked almost all or most of the characteristics which we associate with contemporary states, for instance, bureaucracy, borders in modern shapes, centralised authority and "permanent population of nationals" (Hehir, 2013). Nevertheless, the transition from the old feudal system to the modern sovereign-state system could be dated from 1450 to 1650. In the former, authority was consigned to various, often contending,

polities and leaders, for instance between the Holy Roman Empire and the Pope. The Church had dominated the power in the medieval Christendom system in Europe, but lost its domination and influence over the configuration of political institutions by the Reformation (Jackson, 1996, p.51).

The invention of the portable printing press in 1439 subsequently contributed to the spreading of Martin Luther's radical ideas, in Central Europe, challenging the power and authority of the Pope, where developed Lutheran churches in alliance with certain Kings and Princes that capitalised the situation for strengthening their monarchy which resulted in widespread religious conflict and disorder (Hehir, 2013, p.48 – 49). By the 17th century, the legitimacy of Kings and Princes was based on the principle of "Rex Est imperator in Regno Suo; the King is Emperor with his own realm" (Jackson, 1996, p.51) and the extreme violent religious conflict lasted for thirty years from 1618 to 1648 (Hehir, 2013). Moreover, the development of the state system, according to Russet et al., (2000), was precipitated by two main factors; capital and coercion. In order to strengthen their kingdoms, Kings needed strong economic and military resources. Economic growth required a strong centralised bureaucracy capable of tax collection for which a coercive force, another word army, was necessary. Thus, Hehir (2013, p.49) notes that the state is a task for the pursuance of economic growth which resulted in the need for creation of an advanced military for two purposes; firstly, to maintain interior issues such as compliance, control, and order. Secondly, to protect the realm from external threats and interference, without a strong military any political entities were exposed to be seized by foreign powers.

Westphalia and the Sovereign State-Nation

As noted by Hehir (2013) in the discussion of state-sovereignty, the 1648 treaty of Westphalia is generally percieved to have consolidated the principle of sovereignty and was significant in ending the thirty-year religious violence. However, its importance is inflated, since the basic principles of sovereign inviolability were prototyped in the Peace of Augsburg in 1555 (see Brown, 2006). Parties agreed to uphold the principles of "cuius regio eius religo"; he who rules a region determines its religion. In addition, the Peace of Westphalia re-established and essentially set a paradigm for the development of independent states defined by territory and foreign interference was declared prohibited. Thus, Bull (2012) argues that dual aspect of sovereignty; internal and external, is the chief legacy of the Peace of Westphalia. The former refers to the ability of state authorities to rule within the territory, and the latter refers to a state's independence and inviolability being acknowledged by other states (Bull, 2012). Therefore, International Politics after 1648 has been the struggle of states (also separatist) to maintain, or obtain, their internal and external sovereignty which Westphalia recognised as vital to the legitimacy of a state. Moreover, Chopra and Weiss (1992) note that Westphalia and Augsburg "transferred to nation-states the special godlike features of Church authority. Nation-states inherited the pedigree of sovereignty and an unassailable position above the law that has since been frozen in the structure of international relations" (p.104). However, it would be wrong to say that Westphalia enforced respect to sovereign inviolability, while Westphalia banned external interference and no state could legitimately interfere in another states' affairs. However, state-men did not practice in accordance with the principle of sovereign inviolability. Evidently, the number of states declined from 1648 to 1815 as large states dominated the small ones by force (Bull, 2012).

The 18th and particularly 19th centuries were characterised by the rise of nation-states arguing for the principle of "cuius regio eius religo"; he who rules a region, determines its religion, yet the powerful European states ignored their self-determination and sovereignty, particularly during their colonial epoch based on terra nullius; no man's

land (Hehir, 2013). In addition, Cohen (2004) argue that "jus publicum europaeum"; the public law of Europe, was a clearly "contingent norm which paradoxically facilitated colonialism." Moreover, the international relation was mainly concerned with and influenced by the interest of major powers of the time such as Great Britain, France, Prussia, the Austrian Empire and Russia, rather than the legal principle vis-à-vis sovereignty (Cohen, 2004).

Furthermore, the transition from monarchy to the nation as a legitimate source of authority could be attributed to many historical events such as the Enlightenment, consolidation of language communities, the French Revolution, which asserted the right to choose the government must lie with people and refusal to accept empires as political units. The French Revolution could be argued to have catalysed rejection of Monarchs as the sovereign embodiment in favour of "popular sovereignty." (Hehir, 2013).

The UN Charter

The UN Charter declares sovereignty as a universal principle stating, "the organisation is based on the principle of the sovereign equality of all its members" (Article 2.1). The UN Charter formally rejects hierarchy of states and bans the use of force against other states, except in self-defense (Hehir, 2013). In addition, the UN Charter states "nothing contain in the present Charter shall authorise United Nations to intervene" into domestic affairs of its members (Article 2.7) and many subsequent resolutions have reaffirmed the principle of sovereign-inviolability, particularly, since the numbers of states increased due to decolonisation (Hehir, 2013). Moreover, Bain (2003) argues that the result of the systematisation of equal sovereignty in the UN Charter and following international law, specifically the 1960 General Assembly Declaration on Granting of Independence to Colonial Countries and Peoples, was that "it no longer made sense to speak of a hierarchical society of states in which rights of membership and participation were granted in proportion to a society's development and capability" (p. 66). In addition, in the aftermath of the Charter, the number of states increased from 51 to 192. However, it must be understood that despite codification of sovereignty and an increasing number of states, the principle of sovereignty has repeatedly been violated and "it has not been a consistently respected tenet of international law" (Hehir, 2013).

Sovereignty is a disputed concept and there is no objective definition of sovereignty. However, sovereignty may be defined as absolute, supreme, unified, power. In International Relations it is referred to as state-inviolability, in other words, states are perceived as supreme powers and main actors in international arenas, such as the UN and so on. In addition, the concept of sovereignty has a long history and it has evolved throughout history. Additionally, political events such as the invention of the portable press, the Treaty of Westphalia and the French Revolution have contributed to the transformation of power from Monarchs and religious figures such as the Pope to the nation-state. Finally, at the end of World War II the United Nations was established based on the principle of sovereign equality, and since then many International laws and resolutions have been adopted by all members.

Theories and approaches

Sovereignty has been invoked strongly across political arenas, yet it is highly ambiguous having various meaning and manifestations. For instance, Watts (2001) notes that States "through their rulers or governments think of themselves as sovereign. They do not, of course, always know what sovereignty means, but it is clearly worth having and keeping" (p.5). Thus, different scholars from a range of schools of thoughts perceive it differently through different theories. Moreover, the end of the Cold War intensified debate around sovereignty and the legitimacy

of state intervention. Internal disputes such as the Rwandan genocide and the Bosnian conflict divided opinion as to whether intervention by another state is justified if it is solely for humanitarian purposes. For example, in 1992 the Wall Street Journal proposed the question of "at what point do so-called sovereign governments forfeit their sovereignty through their own despicable act?" (cited in Hehir, 2013).

The international and national constraints that were imposed due to a standoff between the USSR and the USA were lifted by the end of the Cold War. Since the Soviet Union no longer offered unconditional support to communist regimes, the USA no longer held such great importance on implementing the policy of containment across areas of strategic importance (Hehir, 2013). As a result of this, Fukuyama (2006) argue that "the end of the cold war left a band of weak or failed states stretching from North Africa through the Balkans, and the Middle East to South Asia (p.2). Thus, new internal wars broke out amongst these "failed" and "weak" countries where human rights were violated on a mass scale, and these wars became the predominant manifestation of global conflict (Kaldor, 1999).

Nonetheless, the future of human rights due to end of the Cold War was perceived with optimism amongst scholars like Barnett (2010), and Shaw (1994). Berdal (2003) argued that it was the right time to further codify and enforce human rights legislation. In addition, highly globalized media and increasing numbers of Humanitarian NGOs contributed to a change in Western public attitudes towards conflicts and its humanitarian consequences. These events advanced debates around sovereignty (Hehir, 2013). Moreover, Robertson (2002) notes that many believed International Law surrounding sovereign-inviolability is immoral and outdated. Also, Hoffman (2003) notes that sovereignty at its core is seen as an obstacle to the protection of human rights and it was at this time that "revolution" began "against unfettered sovereignty" (p.22).

Furthermore, the violence in the Balkans and Rwandan genocide led to a consensus that sovereignty should not be an excuse for inaction where mass human rights violations have taken place. Thus, some scholars like Glennon (1999) argue that sovereignty should be conditional based on human rights records, in Glennon's (1999) words "[the] enlightened states," have the right to abandon UN charter's codification of sovereign equality and inviolability. He concludes that "if power is used to do justice, the law will follow" (p.7). However, Falk (2004) rejects this idea, arguing that it is similar to the civilising mission of colonialism and "it seems unavoidable to wonder whether Glennon's "enlightened" is not a late 20th-century updating of the now unfashionable "civilised"[1] (p41). However, this conception was not manifested in positive law, and it was dismissed as evidence to reform international law in favour of human security.

Besides, Krasner (1999) identifies four types of sovereignty.

1. "International legal sovereignty; refers to practices associated with reciprocal recognition of, often between territorial units that have formal juridical independence.
2. Westphalian sovereignty; refers to political administration based on the exclusion of external actors from authority structures within a given territory.
3. Domestic sovereignty; refers to the official organisation of political authority within the state and the ability of public authorities to exercise effective control within the borders of their own polity.
4. Interdependence sovereignty; refers to the ability of public authorities to regulate the flow of information, ideas, goods, people, pollutants, or capital across the borders of their state." (Krasner, 1999, p.4).

1 For liberal Hierarchy see Lake (2009) Also, See Glennon, (1999).

Perhaps unsurprisingly, Krasner argues that very few states have enjoyed all types of sovereignties. He argues that the international system, characterised by power asymmetries, is "an environment in which logic of consequence dominates logic of appropriateness." And he argues that the elite of the states violates the international norms and rules for their interest to stay in power, hence, sovereignty is "organised hypocrisy". Besides, compromise on or violation of sovereignty is nothing significantly new as some scholars of globalization or human rights have portrayed it. For instance, Strange (1997) claims that sovereignty has been eroded by globalization. She thinks that contemporary times have witnessed a 'retreat of the state' and that there has been an 'overall decline of state power (p. 4.).

Nonetheless, decolonisation and the UN as a platform to solve disputes through peaceful means is a crucial achievement of the international community (Chesterman and Byers, 1999). Similarly, almost all states being part of the Human Rights Declaration Agreement has been an important achievements for the protection of human rights.

Moreover, scholars such as Simonovic (2002) argue that sovereignty is relative, and it has been changing throughout history. He further argues that globalization is a new force in the evolution of sovereignty as states seem to share power with international organisations such as the UN, multi-national corporations, and NGOs. Thus the "quality of state sovereignty in the contemporary world, both external and internal relations, has fundamentally changed" and "indeed sovereignty is not absolute anymore." (p.380). Similarly, Simpson (2004) notes that sovereignty is best understood as relative; reliant on certain external factors, "this form of sovereignty must constantly treat with the sovereign of other states" and also relative as it is "constrained by the existence of international law itself" (p. 41).

The end of the Cold War left many weak states across the regions, where horrific incidents such as mass killing, ethnic cleansing and genocide took place. The increased media coverage of these events changed the perception of the western public and scholars, as well as humanitarian NGOs focused on human security and human rights over state security and supremacy. Thus, scholars argued that sovereignty must be conditional based on human rights and that the principle of sovereignty should not be treated as an excuse for inaction by enlightened states. Some scholars rejected this idea as being a new face of colonial mission of civilising the world. Moreover, some scholars such as Krasner (1999) argued that challenges to sovereignty is not a new phenomenon. It has been repeatedly violated by the powerful states whenever it suited their interests. In addition, Simonovic (2002) argues that sovereignty is not static, but relative as it has been changing and treated differently during the course of history.

Global War on Terrorism

The 'War on Terror' is a term to describe the USA-led worldwide counter-terrorism campaign after the 9/11 attacks. Scholars, such as Jackson (2017) states that "in its scope, expenditure, and impact on international relations, the war on terrorism was comparable to the Cold War; it was intended to represent a new phase in global political relations and has had important consequences for security, human rights, international law, cooperation, and governance".

George. W. Bush's administration laid out its strategy of war on terrorism in the National Security Strategy, 2002, (NSS, 2002) and reaffirmed it in the National Security Strategy published in 2006. Both doctrines declared "global war on terrorism"; stating that the "traditional concept of deterrence" and "containment" is not enough to tackle this new threat because "[the] struggle against global terrorism is different from any other war in our history. It will be fought on many fronts against a particularly elusive enemy over an extended period of time." (The NSS, 2002, p5). The strategy of the War on Terror stayed the same in the 2006 NSS. The subsequent national

strategies by Obama and more recently Trump, speak almost the same language of "preventive war"; disrupting terrorists in their safe havens. This has been indicatively demonstrated by the actions of the Bush, Obama and Trump administrations in violating the sovereignty of other countries. Case studies include direct bombing and military intervention in Iraq (2003) and in Syria (2017), and the authorising of targeted drone strikes in Pakistan, Somalia and Yemen (Purkiss, 2018).

Since the world's most powerful state has declared a War on Terrorism, the question has subsequently arisen of 'what defines terrorism and who is a terrorist'? Although it is beyond the scope of this paper to discuss a philosophical and historical aspect of terrorism, nevertheless, a brief discussion on terrorism would be suffice to highlight the difficulties of definitions which would be helpful to understand the ambiguity of the 'War on Terror' and the difficulty it proposes.

What is terrorism?

The word "terrorism" etymologically is taken from the word terror, which originally indicates a system, state or regime of terror (Primoratz, 2004). Originally the using of the word terror goes back to the French Revolution and the American Civil War for independence. It is used in relation to the reign of "terror." The French Revolutionaries used to use a guillotine to kill their enemies with the purpose of instilling fear to the wider society to intimidate the potential opposition. Moreover, the term terrorism would often refer to state terrorism until the 20th century when the Nazis, Cheka police, etc, would use French techniques of terrorism. Also, terror tactics were used by the anti-colonialists. For instance, the National Liberation Front of Algeria, the Palestinian Liberation Organisation and the IRA used terror tactics against France, Israel, and the British government respectively (Walker, 2002). From these historic examples of terrorism few common factors can be highlighted, such as indiscriminate attacks, targeting public and politicians and a strategic tactic to instill fear amongst enemy and public.

Moreover, the word "terrorism" is highly contested, hence why it is unlikely to find an objectively agreed universal definition for it. For instance, Jongman and Schmid (1988) in their study found one hundred contending definitions of terrorism and finding an adequate solution to this problem seems to have remained impossible. However, some scholars have attempted to define terrorism but, due to its nature and the value attached to it, this has always been the source of contention and disagreement, because it is relative to time and to the person who defines it. For instance, political practitioners provide a broad definition so that courts and other authorities can apply terrorism to various actors and situations (Jackson et al., 2011). For instance, in the USA, the FBI, the Department of Defence and the Department of State have adopted different definitions of terrorism. Nonetheless, an illegitimate politically motivated act or threat of violence against citizens and property seems to be common in all definitions (Jackson et al., 2011). In addition, according to Goodin (2006) terrorism is an act that "involves the strategic use of terror" which means instilling fear is the primary and strategic purpose of terrorism. It is, also, a political tactic to scare the general public to achieve its political goal. Goodin (2006) acknowledges it is not the only factor, however, it is the fundamental element. It is also, defined as "the deliberate use of violence, or threat of its use, against innocent people, with the aim of intimidating some other people into a course of action they otherwise would not take" (Primoratz, 2004, p.24). Despite all the efforts, it is yet to be objectively defined and universally be agreed upon in academia as well as in political and legal arenas.

War on Terror and Sovereignty

The War on Terror, outlined in NSS, 2002, changed the whole paradigm of self-defence. The traditional strategy of "deterrence and containment" is perceived to no longer be a viable option in fighting non-state actors; hence the USA have had to adopt a "pre-emptive" strategy to fight global terrorists, who are driven by hateful ideology (Wheeler, 2003). Moreover, Knights (2002) and Wheeler (2003) argue that the unconventional strategy of the War on Terror violates the notion of sovereignty. The pre-emptive strategy is problematic in the understanding of sovereignty or international law because it changes the accepted concept of "pre-emptive action" in international arenas. For example, Walzer (1977) defines criteria for a justified pre-emptive strike and unjustified aggression as "a manifest intent to injure, a degree of active preparation that makes that intent a positive danger, and a general situation in which waiting, or doing anything other than fighting, greatly magnifies the risk" (p.81). Moreover, Knights (2002) argues that it is unacceptable for any state to change a widely accepted concept, in this case, imminent threat, in International Relations.

Hendrickson (2002) notes that the language of the NSS, 2002, is not of a pre-emptive nature, but rather more preventative, which is illegal in International Law; the invasion of Iraq in 2003 serves as evidence for Hendrickson (2002)'s argument. Moreover, Korbs and Wadhams, (2006) note that by blurring the line between pre-emption and preventive war, the United States has created a new precedent that could lead to the collapse of a widely held international norm that forbids offensive attacks by one state against another purely for self-gain. Meaning if it is legitimate for the USA to attack Iraq for self-gain, then what would restrict India to attack Pakistan?

Wheeler (2003) draws conclusions based on the Spanish War against Louis Henry XIV of France (which is argued to be preventive) to justify preventive war. However, Walzer (1977)'s criteria of preventive war not justified because it is based only on fear "not anything other states actually do" (p.77). Walzer (1977)'s argument seems to be accurate as action solely based on fear would open the door to other powerful states to attack small states, for example, Russia attacked Georgia in 2008 and the annexation of Crimea by Russia was fearful having NATO at its doorstep (Mearsheimer, 2014). Moreover, the war on terror reshapes the concept of sovereignty. It redefines the sovereignty of countries that "harbour terrorism" as no differentiation is made between the state and non-state actors, so the United States of America is justified to attack or invade any country or said safe havens, until the USA eliminates the threat to its national security. 'In carrying out the war on terror, the USA has expanded its area of strategic military operations across the globe, wherever the perceived terrorist threat exists. This significantly challenges the function of the international system and International Law (Lang, 2005).

Since the inception of the War on Terror, the extension of and change/challenge to the notion of sovereignty and borders can indicatively be highlighted by various examples across the world. For instance, the USA has been consistently conducting drone strikes in Pakistan, Somalia, and Yemen. Since 2005 to February 2018 there have been 333 drone strikes in Pakistan (South Asia Terrorism Portal). Mahmood (2014) argues that drone strikes violate Pakistan's sovereignty. Similarly, attacking Osama Bin Laden without consenting Pakistani authorities disregarded Pakistan's sovereignty (Bowcatt, 2011). The Bureau of Investigative Journalism records 302 strikes since 2002 till March 2018 in Yemen and it records a similar number of strikes in Somalia as well. Many scholars, such as Brooks (2014), have argued that drone strikes undermine the international rule of law.

As this paper has highlighted, sovereignty has often been violated in one way or the other under different banners, and scholars have provided justification and explanation for it. However, the challenge of the war on terror needs further investigation as it is highly unlikely to explain it within the current literature on sovereignty.

The war on terror and the subsequent events such as the Iraq War have challenged current literature on sovereignty. The reasoning behind the failure in explaining this new phenomenon is that neither 'humanitarian intervention' nor 'responsibility to protect' offer an acceptable justification. The literature on the former is mostly about the protection of human rights declared in the Human Rights Declaration and other conventions, treaties and resolutions. Whereas the controversy surrounding the global 'War on Terror' is predominantly centered around the concepts of national security and supremacy of major powers (Acharya, 2007). In addition, Krasner states that "organised hypocrisy" takes place when the rules of sovereignty are reorganised, i.e., played around minority rights, human rights and religious toleration (Krasner, 2003). Expanding on this concept of 'hypocrisy', he further states that the violation of sovereignty in the name of national security does not face much protest by citizens across the globe. He states "there are very clear rules about how sovereignty works, and they were violated frequently, much more frequently than people had imagined. However, "people were not screaming and yelling about hypocrisy," and no one tries to find new rules. (Krasner, 2003). However, the Iraq War was rejected by the UN as well as by European allies like Germany and France (the Guardian, 2003) and more than a million people marched against it in the UK (BBC, 2003).

Furthermore, Krasner argues that sovereignty has been violated for higher principle, preserving world order. However, the War on Terror and the Iraq War reveals a war motivated by neoconservative ideology and geopolitical interest rather than preserving the "higher norm", "higher principle" or protection of human rights. In fact, mass human rights violations took place in the Iraq War, such as Abu Ghraib, Guantanamo Bay, rendition, etc (see HRW, 2004, 2006, 2011 and Amnesty International). Thus, the assumption of protecting human rights seems not to be entirely feasible. Furthermore, sovereignty has repeatedly been violated, however, to stamp them all as "organised hypocrisy" cannot be justified as they do not hold the same moral weight. For example, invading Iraq under the banner of the responsibility to protect or humanitarian intervention could be argued to have been organised hypocrisy, however, there was no moral equivalence of either of the concept (Acharya, 2007).

Conclusion

Having investigated the main theories of sovereignty and the idea of terrorism, it is highly unlikely to reconcile the idea of sovereignty and the global War on Terror, except treating sovereignty as relative. Besides, the idea of terrorism being highly contested and politically loaded makes it almost impossible to fight terrorism in a meaningful war and uphold the principle of sovereignty.

It would potentially be highly conflicting to allow violations of sovereignty under any circumstance. The world structure is changing from the unipolar power of the USA, towards a multipolar world as Russia, China and other rising powers are becoming dominant on the world stage. If this idea of fighting terrorism with no regards to sovereignty continued, it could potentially result in a world less concerned with the values of state sovereignty, and perhaps more importantly the protection of human rights; as we are starting to see in recent events. For instance, Turkey attacked Afrin for fighting "terrorists. Myanmar slaughtered Rohingyas as it was called "the textbook example of genocide", under fighting terrorism. Academics, NGOs, Human Rights organisations and most importantly

sovereign states must discontinue the discourse referring to the War on Terror and the UN should be reformed to have more power in order to consolidate upholding the principle of sovereignty and human rights.

References

Abiew, K. (1999) The Evolution of the Doctrine and Practice of Humanitarian Intervention. Kluwer Law International: London.

Acharya, A. (2007), State Sovereignty After 9/11: Disorganised Hypocrisy. Political Studies, 55: 274–296. Available from http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9248.2007.00664.x/full [Accessed: 05/11/2017].

Annan, K. (1999) 'Two Concepts of Sovereignty', The Economist, 18 September. Available from: https://www.economist.com/node/324795 [Accessed: 06/05/2018].

Bain, W. (2003) The Political Theory of Trusteeship and the Twilight of International Equality, International Relations, 17, 1, 59 – 77. Available from: http://journals.sagepub.com.ezproxy.westminster.ac.uk/doi/pdf/10.1177/00471178030171004 [Accessed: 0904/2018].

Barnett, M (2010) The International Humanitarian Order. London: Routledge.

BBC (2003) Million march against Iraq war. BBC, 16th February. Available from: http://news.bbc.co.uk/1/hi/2765041.stm [Accessed: 06/04/2018].

Berdal, M. (2016) The UN security council: ineffective but indispensable, Survival, 45:2, 7-30. Available from: https://www-tandfonline-com.ezproxy.westminster.ac.uk/doi/abs/10.1080/003963303123313434761 [Accessed: 10/02/2018].

Bowcott, O. (2011). Osama bin Laden death: Pakistan says US may have breached sovereignty. The Guardian. 5th, May. Available from: https://www.theguardian.com/world/2011/may/05/osama-bin-laden-pakistan-us-sovereignty [Accessed: 10/11/2017].

Brooks, R. 2014, "Drones and the International Rule of Law", Ethics & International Affairs, vol. 28, no. 1, pp. 83-103. Available from: https://search.proquest.com/docview/1541998004?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo [Accessed: 20/03/2018].

Brown, C. (2006) Sovereignty, Rights and Justice: International Political Theory Today. London: Polity.

Bull, H. (2012) The Anarchical Society: A Study of Order in World Politics. 12 ed. Basingstoke: Palgrave Macmillan.

Bureau of Investigative Journalism (2018) Drone strikes in Yemen. Available from: https://www.thebureauinvestigates.com/projects/drone-war/yemen [Accessed: 15/03/2018].

CAGE, (2016). From Myanmar to Aleppo, the 'War on Terror' has become a convenient excuse for genocide. CAGE, 16th December. Available from: https://cage.ngo/article/from-myanmar-to-aleppo-the-war-on-terror-has-become-a-convenient-excuse-for-genocide/ [Accessed: 28/02/2018].

Charter of the United Nations (1945) available from: https://treaties.un.org/doc/publication/ctc/uncharter.pdf [Accessed: 05/04/2018].

Chopra, J. and Weiss, T. (1992) Sovereignty is No Longer Sacrosanct, Ethics and International Affairs, 6, 95, 117.

Chopra, J. and Wiss, T. (1992) Sovereignty Is No Longer Sacrosanct: Codifying Humanitarian Intervention. Ethics and International Affairs, 6, 95 – 117. Available From: https://doi.org/10.1111/j.1747-7093.1992.tb00545.x

Clapham, C. (1999), Sovereignty and the Third World State. Political Studies, 47: 522-537. Available from: https://onlinelibrary-wiley-com.ezproxy.westminster.ac.uk/doi/epdf/10.1111/1467-9248.00215 [Accessed: 09/04/2018].

Cohen, J.L. 2004, "Whose Sovereignty? Empire Versus International Law", Ethics & International Affairs, vol. 18, no. 3, pp. 1-24,118. Available From: https://search.proquest.com/docview/200509023?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo [Accessed: 10/11/2017].

Dickens, P., 2004. Global Shift: Reshaping the Global Economic Map in the 21st Century. London: SAGE Publications.

Dixon, L. R. (2011) The Challenge & Complexities of Nation-State Sovereignty in the Era of 21st Century Internationalism. Available from: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1886727# [Accessed: 12/04/2018].

Evan, G. (2008) The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All. Washington DC: Brookings Institute Press.

Falk, R. (2004) Humanitarian Interventionism After Kosovo. In Jokic, A. Lessons of Kosovo: The Dangers of Humanitarianism Intervention. Toronto Broadview Press.

Fukuyama, F. (2006) Nation Building and Failure of International Memory. In Fukuyama, F. Nation Building beyond Afghanistan and Iraq. New York: Johns Hopkins University Press.

Glennon, M.J. 1999, "The new interventionism: The search for a just international law", Foreign Affairs, vol. 78, no.3, pp. 2-7. Available from: https://search.proquest.com/docview/214313686?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo [Accessed: 30/03/2018].

Goodin, E. R. (2006). What is wrong with Terrorism. Cambridge: Polity Press.

Hehir, A. (2013) Humanitarian Intervention: An Introduction. 2nd edn. UK: Palgrave Macmillan.

Hendrickson. C. D, (2002), Toward Universal Empire: The Dangerous Quest for Absolute Security, World Policy Journal, Vol.19, No.3 pp.1-10. Available from: https://search.proquest.com/docview/60143255?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo [Accessed: 09/2017].

Hoffman, S. (2003) Intervention: Should it Go On? Can It Go On? In Chatterjee, D. and Scheid, D. Ethics and Foreign Intervention. Cambridge: Cambridge University Press.

Human Rights Watch (2004) Human Rights and Armed Conflict. Available from: https://www.hrw.org/legacy/wr2k4/download/wr2k4.pdf [Accessed: 28/02/2018].

Human Rights Watch (2006) "torture", 10th, November. Available from: https://www.hrw.org/news/2006/11/10/diplomatic-assurances-against-torture [Accessed: 06/03/2018].

Human Rights Watch (2011) World Report, 2011: Iraq. Available from: https://www.hrw.org/world-report/2011/country-chapters/iraq [Accessed: 28/02/2018].

Hussain, M. (2015). AMERICAN DRONE ASSASSINATIONS MAY VIOLATE INTERNATIONAL LAW, EXPERTS SAY. The Intercept 29th October. Available from: https://theintercept.com/2015/10/29/american-drone-assassinations-may-violate-international-law-experts-say/ [Accessed: 11/11/2017].

Jackson, R. (1996) Quasi States: Sovereignty, International Relations and the Third World. Cambridge: Cambridge University.

Jackson, R. (2007) 'Sovereignty and its Presuppositions: Before 9/11 and After. http://journals.sagepub.com.ezproxy.westminster.ac.uk/doi/pdf/10.1111/j.1467-9248.2007.00668.x

Jackson, R. (2007) Constructing Enemies: "Islamic Terrorism" in Political and Academic discourse. Government and Opposition, 42, (3), pp. 394–426. Available from: http://onlinelibrary.wiley.com/doi/10.1111/j.1477-7053.2007.00229.x/epdf [Accessed: 01/02/2017].

Jackson, R. (2007) Sovereignty and its Presuppositions: Before 9/11 and After, Political Studies, 55 (2), 297–317. Available from: http://journals.sagepub.com/doi/abs/10.1111/j.1467-9248.2007.00668.x#articleCitationDownloadContainer [Accessed: 02/02/2018].

Jackson, R. (2017) The War on Terror. Available from: https://www.britannica.com/topic/war-on-terrorism [Accessed: 20/03/2018].

Kaldor, M. (1999) New and Old Wars. London: Polity.

Karp, D. J. (2008) 'The utopia and reality of sovereignty: social reality, normative IR and 'Organized Hypocrisy", Review of International Studies, 34 (2), 313-335.Available from: https://search.proquest.com/docview/204899730/fulltextPDF/E862FB0B08724146PQ/1?accountid=14987 [Accessed: 12/04/2018].

Keohane, R. (2000) Sovereignty in International Society' In D. Held and A. McGrew, The Global Transformation Reader – An Introduction to the Globalization Debate. Oxford: Blackwell Publishers.

Korb and Wadhams (2006) A Critique of the Bush Administration's National Security Strategy. The Stanley Foundation; Innovative approaches to peace and security from Stanley Foundation. Available from: http://stanleyfdn.org/publications/pab/pab06nss.pdf [Accessed: 21/03/2018].

Krasner (2003) Interview with Kreisler, H. "In Conversation with History, Institution of International Studies, UC Berkeley. 31st March. Available from: http://globetrotter.berkeley.edu/people3/Krasner/krasner-con3.html [Accessed: 29/04/2018].

Krasner, S. D. (1999) Sovereignty: Organized Hypocrisy. Princeton NJ: Princeton University Press.

Lake, A. D. (2009) Hierarchy in International Relations. New York: Cornell University Press.

Lang, A. F. (2005). 'Punitive Intervention: Enforcing Justice or Generating Conflict?' p.50-71 In: Evans, M. Just War Theory: A Reappraisal. Edinburgh: Edinburgh University Press.

Lang, A. F. (2005). 'Punitive Intervention: Enforcing Justice or Generating Conflict?' p.50-71 In: Evans, M. Just War Theory: A Reappraisal. Edinburgh: Edinburgh University Press.

MacAskill and Borger (2004) Iraq war was illegal and breach UN Charter, Says Annan. The Guardian, 16th September. Available from: https://www.theguardian.com/world/2004/sep/16/iraq.iraq [Accessed:06/04/2018].

Mann, M. (2000) Has Globalization Ended the Rise and Rise of the Nation State? In D. Held and A. McGrew, The Global Transformation Reader – An Introduction to the Globalization Debate. Oxford: Blackwell Publishers.

McGlinchey, S. (2009) International Law and Bush Doctrine. E-International Relations. Available from: http://www.e-ir.info/2009/09/09/international-law-and-the-bush-doctrine/ [04/11/2017].

McGlinchey, S. (2009) International Law and Bush Doctrine. E-International Relations. Available from: http://www.e-ir.info/2009/09/09/international-law-and-the-bush-doctrine/ [04/11/2017].

Mearsheimer, J. J. (2014) "Why the Ukraine Crisis Is the West's Fault: The Liberal Delusions That Provoked Putin", Foreign Affairs, vol. 93, no. 5, pp. 77-89. Available from: https://search.proquest.com/docview/1559077230?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo [Accessed: 05/11/2017].

Mueller (2006) Striking First: Pre-emptive and Preventive Attack in U.S. National Security Policy https://www.rand.org/content/dam/rand/pubs/monographs/2006/RAND_MG403.pdf [Accessed: 02/20/2018].

Primoratz, I. (2004). Terrorism; the Philosophical issues. London: Palgrave Macmillan.

Purkiss, J. (2018) Trump's first year in numbers: Strikes triple in Yemen and Somalia. Bureau of Investigative Journalism, 19th, January. Available from: https://www.thebureauinvestigates.com/stories/2018-01-19/strikes-in-somalia-and-yemen-triple-in-trumps-first-year-in-office [Accessed: 03/04/2018].

Robertson, G. (2002) Crimes Against Humanity. London: Penguin.

Russett, B. Starr, H. and Kinsella, D. (2000) World Politics: The Menu for Choice (New York: St Martin's Press).

Schmitt, N. M (2003) Pre-emptive Strategies in International Law," Michigan Journal of International Law. 24, 2. 513-548. Available from http://heinonline.org/HOL/Page?handle=hein.journals/mjil24&div=17&g_sent=1&casa_token=&collection=journals# [Accessed: 24/04/2018].

Shaw, M. (1994) Global Civil Society and International Relations. London: Polity.

Simonovic, I. (2002). Relative sovereignty of the twenty first century. Hastings International and Comparative Law Review 25(3), 371-382. Available from: http://heinonline.org.ezproxy.westminster.ac.uk/HOL/Page?public=false&handle=hein.journals/hasint25&page=371&collection=journals# [Accessed: 02/12/2017].

Singh, R. (2006) The Bush Doctrine, In Buckley M. and Singh, R. The Bush Doctrine and the War on Terrorism. London: Routledge

South Asia Terrorism Portal (2018) Institute for Conflict Management. Available From: http://www.satp.org/satporgtp/countries/pakistan/database/droneattack.htm [Accessed: 02/04/2018].

The Guardian (2003) France and Germany unite against Iraq War. The Guardian, 22nd January. Available from: https://www.theguardian.com/world/2003/jan/22/germany.france [Accessed: 06/04/2018].

UN Charter (1945) CHARTER OF THE UNITED NATIONS AND STATUTE OF THE INTERNATIONAL COURT OF JUSTICE. Available from: https://treaties.un.org/doc/publication/ctc/uncharter.pdf [Accessed: 09/04/2018].

Walzer, M. (1977). Just and Unjust Wars: A Moral Argument with Historical Illustrations. 5th edn. New York: Basics Books.

Walzer, M. (1977). Just and Unjust Wars: A Moral Argument with Historical Illustrations. 5th edn. New York: Basics Books.

Watts, A. (2001) The Importance of International Law. In M. Byers, The Role of International Law in International Politics. Oxford: Oxford University Press.

Wheeler, J. N. (2003), The Bush Doctrine: The Dangers of American Exceptionalism in a Revolutionary Age. Asian Perspective, Vol.27, No. 4, pp.183-216 .http://schoolsites.schoolworld.com/schools/Cheltenham/webpages/cmanser/files/the%20bush%20doctrine2.pdf [Accessed: 10/11/2017].

White House, (2002), The National Security Strategy of the United States of America, Washington, DC. Available from: https://www.state.gov/documents/organization/63562.pdf [Accessed: 05/11/2017].

White House, (2010), The National Security Strategy of the United States of America, Washington, DC. Available from: http://nssarchive.us/NSSR/2010.pdf [Accessed: 09/11/2017].

6

BREAKING THE VICIOUS CIRCLE IN THE AGE OF SPECTACLE TERRORISM: THE WORDS HEAL THE WORLD PROJECT

Beatriz Lopes Buarque

In 2015, the number of foreign fighters in Syria and Iraq surpassed 20,000 (ICSR, 2015). The phenomenon immediately drew the attention of authorities and scholars interested in understanding the motivations that have led so many people to leave their homes and join Salafi-jihadist groups, notably Daesh. It is true that in the past another conflict managed to attract foreign fighters, but the contemporary flow surpassed the number of people who were recruited to fight in the conflict in Afghanistan in the 1980s.

Although many researchers have devoted their time to explain the roots of contemporary radicalisation[1], few of them have focused on the means used by Salafi-Jihadist[2] groups to recruit foreign fighters, and later to incite western citizens to plot attacks in their own countries. This trend identified by Borum (2011) may be related to the apparent lack of counterterrorism measures that effectively prevent an individual from following radical ideologies – either Salafi-jihadist or far-right.

As a matter of fact, it is important to understand the motivations that lead to radicalisation, but it can no longer be ignored that contemporary radicalisation is a product of our society (Neumann, 2016).

In the 1960s, a long time prior to the emergence of internet and social media, the French philosopher Guy Debord had a glimpse of the type of society that was emerging with televisions advances. He defined this society as "an immense accumulation of spectacles" (Debord, 2012, p32). A society ruled by appearances, where images turned out to be more important than the being itself. This communication theory may seem distant from terrorism studies but provides researchers with a different insight to explain contemporary terrorism.

Before the internet, major media companies detained the power to produce and reproduce spectacles. Citizens used to be informed in a passive way. With the advent of social media, anyone has become capable of producing and sharing their own spectacle. Salafi-jihadist groups are not detached from this reality. They also started taking advantage of technological advances, and it is the reason why we may be in the age of spectacle terrorism.

The specificity of our society has made terrorist spectacles – especially those ones produced by Salafi-jihadist groups[3] - more accessible to the public as media companies started reproducing them to "cover" their narratives produced for television. In newsrooms the expression "an image values more than one thousand words" is well-known.

1 Radicalisation is understood here as the process of developing radical beliefs regardless of the religious or cultural background (Borum, 2011).

2 Salafi jihadist is a term used to refer to Salafists who have started following radical ideologies that advocate for the use of violence.

3 Although far-right groups have also been producing spectacles to reach youth on social media, they rarely appear on television. One possible explanation to this absence may rely on the fact that they are not considered terrorist groups in many countries – something that is strictly connected with the lack of consensus over the term "terrorism".

In this sense, the Orientalist discourse that has been around since the 17th century seems to have become stronger in the 21th century (Said, 2003) not only due to the dramatisation of the 9/11 attacks (Jackson, 2005) but also due to the polarised narratives that started to be produced by Salafi-jihadists in the aftermath of the Afghan conflict in 1979. Narratives that reinforce the opposition between the West and Islam, predicted in 1993 by Samuel Huntington. However, before going further in this analysis it is necessary to understand the roots of Salafi-jihadism and how its tactics became more spectacularised over time.

Salafi-jihadism and the concept of spectacle

To many authors the seeds of contemporary jihadism started flourishing during the conflict in Afghanistan because it enabled the combination of different radical interpretations of the Quran (Kepel, 2011). Some of the fighters were followers of Qutb, an Egyptian who is regarded as an influencer of many Muslim extremist groups as he argued that jihad was the only way to establish an Islamic State. Others were followers of the Pakistani al-Maududi, who is considered the founder of some Islamic political theory, setting the basis of a political system based on the principle of God´s sovereignty. In addition to their own radical views, foreign fighters who joined the war against the Soviet Army had the opportunity to interact with the most radical interpretation of the Quran; Salafism.

It is necessary to clarify two concepts: Islamism and jihad. Islamism can be defined as "a set of political and social movements aimed to 'bring Islam back' into politics and society" (Teti and Mura, 2009, p102). Not all Islamist movements resort to violence to achieve their goal, and some of them try to seize power within the constitutional system. According to Bayat (2013), jihadist groups are a type of Islamist group that use violence to seize power and have transnational operations, perpetrating attacks beyond the boundaries of their country. That is why I use the term "jihadists" while referring to Islamic terrorists that attack the West. The other controversial term is jihad. Although the West frequently associates it with holy war, jihad can have at least two possible meanings: the "greater Jihad", that represents the individual struggle against his/her own negative inclinations and the "lesser jihad" or 'jihad of the sword', which allows Muslims to defend their faith if it is under threat (Teti and Mura, 2009). During the war in Afghanistan, a fatwa was issued declaring jihad against the Soviet Army.

Authors such as Brachman (2008) describe Salafism as a synonym for Jihadism, whereas others such as Sherif (2011) describe Salafism as one type of Islamist movement that preaches the return to a "purer" form of Islam as the only way to establish an Islamic state – not necessarily resorting to violence to achieve it. Despite the controversy over the use of violence, many scholars agree that Salafism is the most conservative Islamist trend; influenced by Wahhabism in the 1980s, that evolved to Salafi-Jihadism.

According to Fadl and Abou (2001), Wahhabism emerged in the Arabian Peninsula in the eighteenth century and spread throughout the Middle East after 1975. Unlike Salafism, it invokes a return to literal concepts of Islam, rejecting any interpretation of the Quran. However, it is less tolerant than Salafism. The puritanism preached by Wahhabism does not agree with different opinions nor the influence of the West. To Kepel (2011), the convergence of Salafism and Wahhabism produced a new trend called Salafi-Jihadism, notably characterised by jihad, discursively constructed as a defence measure against the West (Hegghammer, 2006).

The terrorist group Al-Qaeda emerged within this context and managed to form a transnational network in the aftermath of the Afghan conflict. In 1996, Osama bin Laden, leader of the Salafi-Jihadist group, issued a fatwa declaring jihad against the United States, urging it to withdraw its forces from the Arabian Peninsula (Esposito,

2002). According to Kepel (2011), Salafi-jihadists started perpetrating attacks against symbolic targets to expose US weaknesses and inspire other Muslims to join the jihad. It was at this moment that Jihadist groups started using the most shocking forms of terrorism; acts that reached Western targets and civilians, and managed to draw the attention of major news outlets that would put those images in the media spotlight for several days. In 1998, they attacked the US embassy in Nairobi (Kenya) and Dar-es-Salaam (Tanzania), and in 2001 they targeted the World Trade Centre and the Pentagon.

Heigghammer (2006) describes this new movement, spectacular and transnational, as 'Global Jihadism'. Although it is mainly perceived as a religious movement, the author claims it should be understood less on its religious motivation and more on its political drivers. According to Delacoura (2011), there are at least eight possible causes for terrorist attacks. Besides their religion, jihadists often urge the liberation of holy sites controlled by Western powers, the withdrawal of US forces from the Middle East and the liberation of Palestine (this last one was frequently defended by Al Qaeda). In fact, Salafi-Jihadist groups distorted some precepts of Islam to justify suicide and the use of violence towards non-Muslim civilians – both condemned by Islam. The Quran condemns both of these practices. Nevertheless, jihadists found ways to misuse religious precepts according to their interests. Regarding suicide, Kepel (2001) has pointed out that jihadists have evoked the idea that they are under permanent jihad to justify the use of the body as a tactic to kill non-believers (the death would not be an end in itself but a strategy to hit the enemy). When it comes to the killing of civilians, it began to be discussed in the 1990s when Al-Qaeda used the doctrine of proportionality to explain the assassination of non-Muslim civilians. According to this doctrine, if non-believers kill Muslims, then Muslims are allowed to kill non-believers. In this sense, the group started recalling the deaths caused by US and its allies in Middle East to justify the killing of Western civilians.

Suicide attacks – a strategy that was first carried out by Muslim Shias against Christian crusaders in the medieval era (Hoffman, 2006) and inspired some anarchist groups in the 1880s, reappeared in the 1980s in Lebanon in the form of suicide bombs. Suicide bombs have largely been used by Salafi-jihadist groups due to their psychological and emotional impact. Suicide bombs cause destruction that is widely used to instil fear, and they also have a great appeal among young Muslims who are likely to join jihad due to the belief that being killed while defending Islam can lead to eternal paradise (martyrdom).

Recently, in 2004, another spectacular strategy emerged: beheadings and public slaughtering. Inspired by the online book published by Al Qaeda, *Management of Savagery: the most critical stage through which the Islamic Nation will pass*, Al Qaeda in Iraq started using extreme violence – and spreading videos of it – as an attempt to weaken the regime and control the region. The strategy is described by Ebner (2017) as "A constant onslaught of violence [which] will eventually exhaust the authority of these regimes, which will in turn lose their ability to maintain control over their respective region. Jihadists can exploit this ensuing chaos by implementing social services into local communities" (Ebner, 2017, p.49). This strategy exemplifies how Salafi-jihadist groups seem to have refined their terror strategies based on their capacity to instil maximum fear in as many people as possible.

Although the notion of spectacle may be associated with terrorism as it can be perceived as a tactic used to send a message and precipitate a response (Schmid, 2011), the emergence of social media seems to have enhanced the reach of the organisation. Hence the term "the age of spectacle terrorism". At first sight it is possible to identify at least two factors that make evident the difference between contemporary terrorism and the tactics used before the 9/11 attacks: 1- content produced by Salafi-jihadist groups have become more professional, resembling Hollywood

movies in some cases; 2 – the battle in the media has become equally or more important than the military battle (Stern and Berger, 2016).

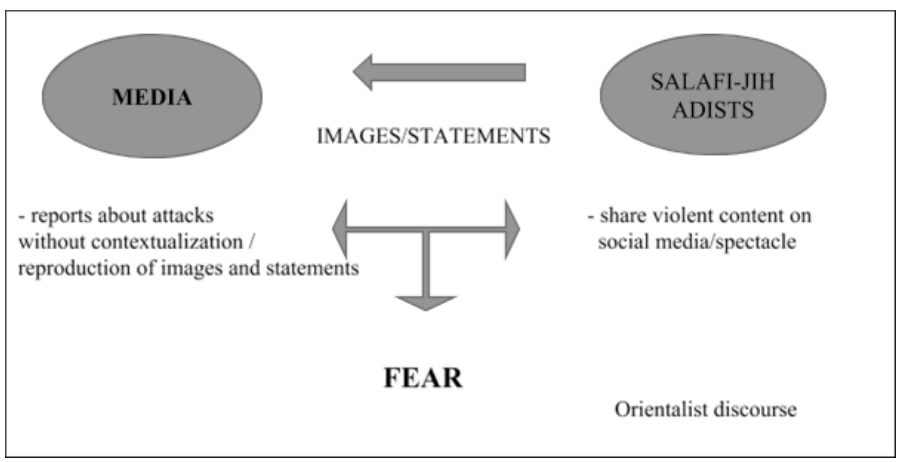
One of the aims of a terrorist attack is to have many people watching it (Crenshaw, 1995). Social media platforms have enabled Salafi-jihadist groups to broadcast their videos almost instantly. On the internet, it is not difficult to find examples of this publicity. Although Facebook, Twitter and YouTube have increased their efforts to delete propaganda produced by extremist groups, they can be easily accessed on the website of major media companies. For example, when searching the term "Islamic State" on the CNN website from 2014 (after June 30th when Daesh declared its caliphate) to 2017, it is possible to find 309 stories that reproduced videos/photos produced by the Salafi-jihadist group. One of these stories is almost entirely covered with images produced by the group. Besides reproducing content produced by them, the media company also give them credit for the images, which legitimises the group.

Wilkinson (2001) claims that media companies are likely to reproduce violent content because they represent high audience ratings, "The media in an open society are in a fiercely competitive market for their audiences, are constantly under pressure to be first with the news and to provide more information, excitement and entertainment than their rivals. Hence, they are almost bound to respond to terrorist propaganda of the deed because it is dramatic bad news" (Wilkinson, 2001, p177).

In this sense, media companies form a symbiotic system with Salafi-jihadist groups. Something that started taking shape in the aftermath of the 9/11 attacks, when Salafi-jihadist groups realised their messages would be reported by major media outlets. In fact, after September 11, 2001, the number of stories produced by Western media about Islam and the Middle East increased, and some companies did not hesitate before producing an interview with Osama bin Laden, leader of Al-Qaeda, boosting his popularity and giving him legitimacy among Muslims (Nacos, 2007).

The symbiotic system

The hypothesis of a symbiotic system formed by Salafi-jihadist groups and the media is not new. Nacos (2007) and Ebner (2017) have explored it, however, neither do so from an Orientalist perspective. I will endeavour to describe the tools used by both groups that ultimately reinforced the Orientalist discourse and fuelled narratives produced by far-right groups. The diagram below was developed to simplify the explanation.



Although it may seem paradoxical, the narrative produced by Salafi-jihadists to justify the use of violence against non-Muslims and the West seems to have reinforced the Orientalist discourse, which is, by definition, a set of statements historically produced to describe the Orient, in order to reaffirm the authority and dominance of the West over it (Said, 2003). From the Orientalist perspective, a clash between Islam and the West was inevitable, and when Osama bin Laden declared jihad against the US in 1996, he reinforced this polarisation, furthering Huntington's theory (2002). Inspired by Ibn Taymiyya, bin Laden clearly stated the existence of a division between Islam and the West: 'the good and the evil'. This simplified vision of the world was necessary to persuade Muslims to join jihad against the West. In this sense, Salafi-jihadists started producing magazines, statements, and even books recalling the suffering of Muslims during the Crusades and the deaths caused by Western forces in the Middle East (Kepel, 2004).

Esposito (2002) argues Salafi-jihadists have hijacked Islam in order to legitimise terrorism – a strategy that is often overlooked by Western media because it seems easier to reduce the complexity of Islam and Islamist movements to a representation that associates Islam with violence. As previously mentioned, Islam condemns suicide and the killing of innocent civilians. Nevertheless, Salafi-jihadists managed to distort this belief, and spread messages that are not shared by the majority of Muslims. The simplicity of their message seems to have matched the Orientalist discourse that has been reproduced by the West for generations. Whenever a jihadist group commits an act of terrorism, the media, already impregnated with the Orientalist discourse, finds a narrative that reinforces the polarisation between Islam and the West, and reproduces it. Therefore, it seems to have shaped a symbiotic system because both sides take advantage of it: jihadists have their message reproduced (media companies not only reproduce videos and images produced by the groups, but also reproduce their statements claiming responsibility for the attacks), and media companies keep profiting from fear because violence – especially spectacles of violence - sells newspapers and increases audience ratings.

When it comes to "terrorist spectacles", Osama bin Laden can be regarded as the pioneer of this new trend. He valued the spectacle terrorist acts presented and highlighted this in the 'Manual of Afghan Jihad' (Nacos, 2007), he also had connections with media companies providing them with images and even interviews. According to Nacos (2007, p59), in the aftermath of the 9/11 attacks, "Osama bin Laden was in the news as frequently as the world´s legitimate leaders". Besides showing images of bin Laden, many American TV channels replayed his interview that was released by the Arab-network al-Jazeera. By reproducing this interview, the media enforced his message and radical views of Islam.

With the emergence of ISIS in 2014 - another Salafi-jihadist group, less tolerant than Al Qaeda - media strategies were refined. The leader of the group was not likely to give interviews, but the group started producing several high-quality videos of beheadings and even a documentary that was clearly inspired by Hollywood movies. All this content was available on the internet and shared on multiple social media platforms by militant organisations and anonymous individuals (Heighammer, 2006). As far as media is concerned, TV channels, anxious for images to complete their storytelling, reproduced those images. It is worth noting that even without sound, those images are powerful and may encourage vulnerable young people to join jihadist groups. Leaders of ISIS acknowledged this and launched their own news agency, Amaq, which releases statements whenever an attack happens in order to claim responsibility. Western TV channels often reproduce these statements.

The vicious circle

The visual content produced by groups such as Al Qaeda, Daesh, and Boko Haram has often represented their fighters as 'soldiers' willing to kill all 'infidels', with little mercy. According to Ebner (2017), these messages were commonly reproduced on social media and TV and has triggered a movement of resistance among Westerners, who have put themselves in the position of 'victim', urging their governments to expel Arab immigrants and segregate Muslims.

It is worth noting that different global terrorism reports have indicated that Salafi-jihadist and far-right attacks tend to follow similar patterns, peaking almost at the same time (Ebner, 2017). This trend is evidence that these movements are somehow connected.

However, attacks perpetrated by Salafi-jihadists tend to be in the spotlight more frequently than those plotted by far-right groups, and one explanation for it may be that Orientalist discourse keeps repeating its myths (Barthes, 1972). In this sense, the symbiotic system described previously fuels a vicious circle.

Although identified, it requires further research, especially within the scope of spectacle. According to Monaghan and Molnar (2016), three theories have emerged to explain the radicalisation process that started taking place in the 21st century: cognitive, behavioural, and narrative. The narrative approach seems to go forward in this sense because it enables the analysis of radicalisation within its socio-political context.

If youth has been in contact with violent content produced by extremist groups, what can be done to prevent its radicalisation? The answer to this question may rely on a multidisciplinary approach that deals with radicalisation as a product of our society, and hence, envisages the need to work within the discourse to tackle the problem at its origin: the word.

Words Heal the World

In the society of spectacle, which can be regarded as a feature of liberal societies, the concept of social democracy may contribute with the development of counterterrorism measures to tackle radicalisation. The notion that democracy does not mean only collective decision making, but that it is also imbued with social action (Biesta, 2016), may be applied to educational systems of countries somehow targeted by both Salafi-jihadist and far-right groups as a means to prevent radicalisation.

> "Communication, therefore, is a thoroughly practical process in which patterns of action are formed and transformed, in which meanings are shared, recreated, and reconstructed, and through which individuals grow, change, and transform" (Biesta, 2016, p129).

In this sense, communication takes on a practical meaning that recalls Foucault´s theory that discourses can effectively produce realities (McHoul and Grace, 1995). If Salafi-jihadists have managed to construct the reality that they are powerful (Jackson, 2005) and defenders of Islam, someone may have the capability of deconstructing it. In societies characterised by the free flow of information that enables every citizen to defend his/her ideas based on the right of free speech (Braddon-Mitchell, D. and West, C., 2004), recreation of meanings may seem a reasonable strategy to restrain the advance of narratives developed to persuade youth to join Salafi-jihadist groups.

If we focus on narratives produced by Salafi-jihadists to persuade youth, we'll identify several myths that, once revealed, will enable them to understand that Islam's precepts have been distorted by these groups.

Students from both the Brazilian university UFRJ and the University of Westminster (United Kingdom) have started using this strategy, relying on social media as its ally to unveil distortions made by both Salafi-jihadist and far-right groups. Distortions that often lead to hate.

The work developed by the 'Words Heal the World' project is based on three parallel activities whose ultimate goal is to deconstruct extremist messages, and therefore, recreate realities:

1. Production of stories based on academic reports so as to make this material more interesting and easier to be consumed by the wider public; thus strengthening ties between academia and people with no background in international relations/politics.
2. Production of spectacles (videos / events) so as to draw the attention of the youth and to provide them with discourses that unveil the myths behind narratives produced by Salafi-jihadist groups.
3. Production of stories and spectacles that increase the visibility of institutions that have already been using words to tackle extremism/radicalisation.

A group of eight students from the Brazilian university UFRJ are responsible for writing stories based on academic reports; making videos; developing social media campaigns; and producing short documentaries related to religious intolerance and cases of extremism in Brazil. Writing stories based on academic reports has been providing them with critical thinking and the necessary knowledge to avoid common mistakes made by journalists who have no experience in International Relations. Working for 'Words Heal the World' has been advantageous for these students because, while studying Journalism, they have received guidance on how to write in a clear and concise manner. Furthermore, they have learned about important concepts regarding Islam, Middle East, Racism, religious intolerance, and radicalisation. Since the project was developed in a way to empower students, they are responsible for choosing their stories, and they are challenged to come up with creative ways to develop their storytelling.

Since September 2017, this group of students has managed to produce more than 32 stories. One example of these stories reached 275 viewers. It was based on the report "The New Netwar: countering extremism online" released by Policy Exchange. One of the students produced an infographic to draw people´s attention to the content of the report.

At the University of Westminster, a group of eight students from different backgrounds have been involved with the same type of activities with a focus on strategies to tackle Islamophobia, Xenophobia, and Jihadism. Since we live in the society of spectacle, students are challenged to use their creativity and produce spectacles to engage with local and global communities. Some examples of it are:

- A live stream on Facebook with three students discussing the myth that Muslim women feel oppressed by the hijab.
- A live stream on Facebook with a mother who lost her son due to radicalisation to answer questions of students and emphasise that members of families affected by radicalisation are not terrorists.
- Videos on Instagram with students saying why they wear hijab and what it means to them.
- A short-documentary to tackle gender Islamophobia.

- A live stream on Facebook with Muslim students deconstructing the myth that Islam endorses violence.
- Videos of events held on the university to help refugees and raise awareness of their situations.

Some of these videos have managed to reach more than a thousand viewers, which shows how effective this modern strategy can be. During the discussion of the use of the hijab, two students joined the discussion live on Facebook, a strategy that underscores how civil society can take advantage of social media to encourage democratic conversation to inform people and prevent radicalisation.

Students meet on a weekly basis to discuss upcoming activities and share ideas. Besides producing original content to debunk myths that can lead to hate, students from the University of Westminster have also been working in partnership with organisations that have joined 'Words Heal the World' (now a non-profit organisation registered in the UK). Some of these organisations, which work to tackle extremism/radicalisation, especially in vulnerable communities and schools, cannot afford a social media team, and hence, remain invisible as they are not represented on social media platforms. In order to help these organisations, 'Words Heal the World' has been in contact with some of them (23 at this moment, located in different continents) to join their efforts to promote their activities. As part of this work, students have written stories to boost these organisations.

Despite the relatively short period of existence – the digital platform was developed in August 2017 and was registered as an NGO in 2018 – 'Words Heal the World' has already managed to attract more than 49,000 visitors and over 3,000 followers on its Facebook, Twitter and Instagram accounts. The project was developed in a way that empowers students and puts them as central actors in the struggle against radicalisation. Besides producing content that may affect people´s lives, they have also realised the diversity of skills they have. Therefore, 'Words Heal the World' has made a positive impact both on the society and on the educational system. Students have been challenged to make a difference in our society, and during this experience, they have deconstructed myths that have been rooted in western social ideology for generations.

'Words Heal the World' is proof that youth´s freshness and creativity can be important allies when it comes to radicalisation prevention. Besides all these activities, they have also started working on three major activities that will be launched this year: two short-documentaries, a global social media campaign to promote dialogue between mothers and their children so as to prevent radicalisation, and an event called 'A Day Against Antisemitism'.

In the age of spectacle terrorism, with the rise of social media platforms that have enabled anyone to produce their own spectacle, our challenge is to better understand the specificities of this trend in the discourse terrain so as to develop more effective counterterrorism measures. If discourse produces reality (Foucault, 2002), discourses that create new realities that do not incite fear shall be produced in a coordinated effort with the generation that was born in the Digital Revolution. In this sense, 'Words Heal the World' represents a human advance towards peace because, with their voice heard, students become aware of their power, and this realisation is essential to break the vicious circle that has driven us to live under permanent fear.

References

Barthes, R. (1972). *Mythologies*. London: Cape.

Bayat, A. (2013). Post-Islamism at Large. In: Bayat, A. *Post-Islamism: the changing faces of political Islam*. New York: Oxford University Press, 1-35.

Biesta, G. J. J. (2016). *Beyond Learning: Democratic Education for a Human Future*. New York: Routledge.

Borum, R. (2011). Rethinking Radicalization. *Journal of Strategic Security*, 4(4), 1-6. Available from http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=1150&context=jss [Accessed 5 February 2018]

Braddon-Mitchell. D. and West, C. (2004). What is Free Speech? Journal of Political Philosophy, 12(4), 437-560. Available from http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9760.2004.00208.x/epdf [Accessed 8 February 2018]

Branchman, J. M (2008). *Global Jihadism: Theory and Practice*. New York: Routledge.

Buzan, B. and Wæver, O. (2003). *Regions and Powers: The Structure of International Security*. Cambridge: Cambridge University Press.

Crenshaw, M. (1995). Terrorism in context. University Park: Pennsylvania State University Press.

Dalacoura, K. (2011). Terrorism, Democracy and Islamist Terrorism. In: Dalacoura, K. *Islamist Terrorism and Democracy in the Middle East.* Cambridge, UK: Cambridge University Press, 21-39.

Debord, G. (2012). *Society of the spectacle.* 2nd ed. Eastbourne: Soul Bay Press.

Djalong, F.F. (2010). Reorientalising Islam: Terrorism and Discourse on Evil. *Jurnal Ilmu Sosial dan Ilmu Politik*, 14(2), 247-273. Available from https://jurnal.ugm.ac.id/jsp/article/view/10939 [Accessed 9 December 2017]

Ebner, J. (2017). *The Rage*. London: I.B. Tauris & Co. Ltd.

Esposito, J. (2002). *Unholy War – Terror in the name of Islam*. Oxford: Oxford University Press.

Fadl, E. and Abou, K. (2001). Islam and the Theology of Power. *Middle East Research and Information Project*, 221, 28-33. Available from http://www.jstor.org.ezproxy.westminster.ac.uk/stable/1559337?sid=primo&origin=crossref&seq=1#page_scan_tab_contents [Accessed 6 January 2018]

Foucault, M. and Faubion, J.D. (2002). *Power.* London: Penguin.

Hegghammer, T. (2006). Global Jihadism after the Iraq war. The Middle East Journal, 60(1), 11-32. Available from https://search.proquest.com/docview/60161460/E667FBCBEF014D22PQ/5?accountid=14987 [Accessed 6 January 2018]

Hoffman, B. (2006). Religion and Terrorism. In: Hoffman, B. *Inside Terrorism*. New York: Columbia University Press, 81-130.

Huntington, S. P. (2002). *Clash of civilizations and the remaking of world order*. London: Free Press.

Jackson, R. (2005). Writing threat and danger. In: Jackson, R. *Writing the war on terrorism: language, politics and counter-terrorism*. Manchester: Manchester University Press, 92-120.

Kepel, G. (2004.) *Jihad: the trail of political Islam.* London: I.B. Tauris.

Kepel, G. (2011). The Origins and Development of the Jihadist Movement: From Anti-communist to Terrorism. In: F. Volpi. *Political Islam: A Critical Reader*. New York: Routledge. 255-270.

Maurer, D (2017). *Countering Violent Extremism: Actions needed to define strategy and assess progress of federal efforts*. Washington: United States Government Accountability Office. Available from http://www.gao.gov/assets/690/683984.pdf [Accessed: 11 December 2017]

Monaghan, J. and Molnar, A. (2016). Radicalisation theories, policing practices, and the "future of terrorism"? *Critical Studies on Terrorism*, 9(3), 393-413. Available from http://www.tandfonline.com/doi/abs/10.1080/17539153.2016.1178485 [Accessed 5 February 2018]

McHoul, A.W. and Grace, W. (1995). A Foucault Primer: discourse, power and the subject. London: UCL Press.

Nacos, B. L. (2007). *Mass-mediated terrorism: the central role of the media in terrorism and counterterrorism.* Plymouth: Rowman & Littlefield Publishers.

Neumann, P. (2017). *Radicalized*. London: I.B.Tauris & Co. Ltd

Schmid, A. P. (2011). *Handbook of Terrorism Research*. London: Routledge.

Ramji, R. (2003). Representations of Islam in American News and Film: Becoming the Other. In: Mitchell, J.P. and Marriage, S. *Mediating Religion: Studies in Media, Religion, and Culture*. London: T&T Clark Ltd, 65-72.

Rapoport, D. C. (2002). The four waves of Rebel Terror and September 11. Anthropoetics, 8(1). Available from http://wrldrels.org/wp-content/uploads/2016/02/Rapoport-Four-Waves-of-Terror.pdf [Accessed 5 February 2018] Sherif, A. E. (2011). Islamism after the Arab spring. *Current History*, 110, 358-363. Available from https://search.proquest.com/docview/908528729?pq-origsite=gscholar [Accessed 18 December 2017]

Stern, J. and Berger, J.M. (2016). *ISIS: The State of Terror*. London: William Collins

Weber, M. (1978). Politics as a Vocation. In: W. G. Runciman (eds), *Max Weber: Selections in Translation*. Cambridge, UK: Cambridge University Press, 1-27.

Wilkinson, P. (2001) *Terrorism versus Democracy: The Liberal State Response*. London: Frank Cass.

PART II

HUMAN RIGHTS IN A DIVIDED WORLD

7

GENDER AND TERRORISM: THE DEHUMANISING EFFECT OF COUNTER-TERRORISM RHETORIC AND POLICIES ON MUSLIM WOMEN IN THE UNITED KINGDOM

Livia Cuciurean

Introduction

Gendered and unequal relations of power constitute a large number of the structural issues within Western societies. Many feminist scholars criticised the abuse of power by patriarchal Western states. According to Cynthia Enloe (2014), among the characteristics of patriarchal systems there is the tendency to categorise women on the basis of race, religion, education, and social status. The consequence of such distinction in patriarchal societies, as will be further discussed in this paper, is that women are divided into groups, granted different degrees of respectability and importance, and kept separate by a layer of mutual judgement (Enloe, 2014). Probably, this tendency has held back many women and scholars from being inclusive feminists, by not considering or mis-interpreting the experience of women of different "categories". As a step towards the end of a patriarchal understanding of the role of women in society, feminist research ought to adopt a framework that is inclusive and informed of the experience of all women – with no distinction.

This paper intends to uncover the roots of the discrimination that Muslim women face in the United Kingdom in their day-to-day life as a consequence of the counter-terrorism policies of U.S. origin and disseminated worldwide after 9/11. The objective, more specifically, is to underline the semi-intentional, unscrupulous usage of gendered discourses as a means to achieve consent through the implementation of a patriarchal, militarised regime that, whilst designed to appear for the benefit and protection of all communities, has instead focussed on aggression and oppression towards minorities. Among the numerous negative consequences of that, the attribution of a misrepresenting and dysfunctional identity to Muslim women and the normalisation of gendered prejudice and different forms of violence against them have been, as underlined in the paper, among the most damaging. A feminist analysis of the counter-terrorism policies and enforcement is beneficial and necessary in order to uncover gender discourses within the spectrum of counter-terrorism, mapping and revealing the "silences" that characterise it. Therefore, this paper will adopt a perspective that corresponds to the definition of "intersectional feminism" in consideration of the fact that women are oppressed, not only by sexism, but also by classism, homophobia, racism, ageism, ableism, etc.; therefore, the goal of feminism is to end all oppression that affects women (Haslanger, 2012).

The first section of this paper will analyse the process of militarisation of the US society, the creation of a "new enemy", and the role of women and feminism in the construction of the framework of counter-Islamic-terrorism. The second section will explore the reasons why European countries felt the need to adopt a common counter-terrorism policy and plan of action in line with the US, along with their means and intentions, and what outcomes and limitations resulted. In the third section, the UK will be presented as a case study; it will be argued that a number of racial and gendered stereotypes around Islam and Islamic cultures were present in the public conscience

before the 9/11 attacks, and they have been reinforced and directed in particular towards Muslim women after 9/11; it will also be argued that a series of groups – that push a racist and anti-feminist agenda – have benefitted from the marginalisation and discrimination of Muslim women. The fourth section of the paper will look at the effective impact of counter-terrorism policies and rhetoric on Muslim women will be analysed within the framework of "dehumanisation" described by Mikkola (2017) in her book "The wrongs of injustice".

Secondary data, mostly in regard to security and reports on the experiences of Muslim people in Europe and the UK, will be used throughout the paper. In the last section, a segment will be dedicated to primary data collected within the University of Westminster. The data has been collected through personal interviews with a number of Muslim students in the same class as the writer. The writer chose to interview those women in particular also because they are all studying International Relations – which means that they are aware of rhetoric, dynamics of power between states and within states, etc. However, the writer does not necessarily consider the experiences and thoughts of those interviewed as representative of the overall phenomenon within and beyond the UK – they are insights of the life and ideas of emancipated, free and forward-thinking women who fight against Islamophobia and stereotyping every day.

US militarisation and the "war on terror"

The international efforts towards fighting terrorism have a decades-long history, however the events of 9/11 have marked incontestably a new phase of this challenge that impacted the whole international system. Despite not being completely absent, feminist security analysis of terrorism after 9/11, tends to focus on the events in the immediate aftermath. The focus of feminists is often the "hard security" measures implemented, such as the beginning of the conflicts in Afghanistan and Iraq, and their critique concerns the militarisation of the states and the marginalisation of groups of people (Huckerby, 2016).

Such accounts did not scrutinise carefully enough the "soft" approaches to counter-terrorism that became part of the current security practices in the west. For that reason, there is a lack of feminist analysis of the gender dimensions and consequences of those that are defined as "soft measures" in security, such as domestic implementation of counter-terrorism agendas, and the long run effect of those on the civil society (Matias-Martinsen, 2014). A more careful examination of the dynamics and discourses adopted by various states during the war on terror reveals, as we will further discuss below, their deep ties to gender inequalities.

State response to the terror attacks on 9/11 has unquestionably situated the binary terrorism / counter-terrorism within a conflict paradigm, prioritising militarisation over law enforcement and human rights frameworks (Huckerby, 2017). The narratives around the identification of the enemy, and the means to combat such threat, have been, arguably, the result of an intentional and calculated decision-making process (Ganor, 2014). During his speech at the National Day of Prayer and Remembrance Service in September 2001, George W. Bush defined the attack as targeting specifically American (and Western) freedoms and ways of life (Bush, 2001). He also described the enemy as "evil", capable and willing to destroy American values (Bush, 2001). The National Security Strategy (NSS) of the United States (2002), that formed the legal basis regulating the counter-terrorism action and policies, was meant to identify the enemy in the "war on terror". However, the terms used – "nations, organisations, or persons" who "planned, authorized, committed, or aided the terrorist attacks" – were broad, telling of the intention to define its nature as hardly identifiable: omnipresent, pervasive of every society, powerful and dangerous (Ganor, 2014).

Many feminists have noted that the framework for counter-terrorism and the process of decision-making in terms of international law, as much as the identification of potential terrorists, were developed exclusively by male actors. Female politicians, speakers and researchers had little contribution in the framing of counter-terrorism policies and discourses. Nevertheless, notions of "feminine" and "masculine" were overwhelmingly present in counter-terrorism discourses (Charlesworth, 2002). These narratives and the idea that the world we live in is undoubtedly dangerous have heavy implications in terms of gender. During wartime – and the war on terror was no exception – stereotypical associations, such as men/protectors and women/protected, had the role of reinforcing the domination and importance of masculinity over women and femininity. Women's role as "protected" individuals and the idea that they were unable to assess and participate to fighting the dangers of terrorism, deprived them of the ability to be part of the decision making (Enloe, 2014).

However, if on one side in the US women's voices were silenced while the focus was on militarisation under the leadership of men, on the other side women's rights played an important role in shaping the justification for military intervention. Public debates after 9/11 were increasingly fuelled by topics such as veiling, women's empowerment, genital mutilation, child marriage etc (Caluya et al., 2014). Some academics even claimed that the origin of terrorism was to be found in the disparity between men and women within Muslim societies (Thayler and Hudson, 2010, pp. 41-42). Furthermore, some feminist academics, in order to push their agenda and have a role in the decision-making process, produced the argument that promoting women's rights could be used as a counter-terrorism weapon within a number of Middle-Eastern domestic jurisdictions (Huckerby, 2017). Such an argument is problematic for many reasons: it is complicit with a patriarchal view of the moral and cultural superiority of the West over the Middle-East, and of men over women; it delegitimises the efforts of Muslim feminists confronting oppression in loco and within the context of Islam; it reinforces hierarchies of importance between the security of women (and peoples) from the Global North and women (and peoples) from the Global South – the South's security becoming in this case expendable. The justification of the intervention in Afghanistan was, indeed, based in part on the idea that Muslim men were extremely violent and oppressive towards Muslim women. The first lady, Mrs Bush, herself affirmed in the radio "Weekly address delivered by the First Lady" that the duty of Western countries was to rescue the women from the brutality of their existence (Mrs Bush, 2001). Hardly new, given the racist and paternalist-imperial formula "white man's burden" often used to describe the need to save "uncivilised" peoples from themselves (Hobson, 2015).

Feminist analysis also brings to light that the framing of the rhetoric around counter-terrorism was, too, gendered. The description of the Middle-East as "different", "backwards" and "unequal" to the West is not new: decades before 9/11 Edward Said (2003) analysed this narrative in his book "Orientalism". The preconceptions that the U.S. government was incorporating in the security discourses were part of centuries long traditions of false representations and prejudices, forged by a number of forces and spread in Western culture primarily as a justification of imperialism. A typical feature of Orientalist studies and discourses is, according to Said (2003), the total absence of inquiry and interest for the veracity of the preconceptions against the "Orient". Knowledge is gained merely by projecting preconceptions and stereotypes about the Orient on the actions of the "natives". In this case, an Islamic fundamentalist group was made representative of the barbarity, violence and un-civilization of the entirety of the Muslim world, despite the multiplicity of peoples, cultures, and beliefs that characterise it.

It is, indeed, well known that, by adopting this rhetoric, the U.S. was merely pursuing legitimacy and justification for militarisation and military intervention within (and despite) the framework of International Law and Human

Rights by framing the events with an alternative language. The gendered rhetoric adopted has been targeting an entire culture, claiming moral and cultural superiority. The rhetoric, moreover, justifies the militarisation of the society as part of the security strategy because the nature of the conflict is extended to that of permanent war (Matias-Martinsen, 2014). The necessity of militarisation was so clearly expressed through ethical discourses around justice that the public response was positive, and ordinary citizens not only in the U.S., but in other Western countries believed that the appropriate response to terrorism was violence.

The bond between the US and the EU

Following the signing of the North Atlantic Treaty of 1949, the international order was constructed around two main agreements between the U.S. and its allies: firstly, the U.S. was committed to militarily protect the European and Asian partners against eventual threats; in exchange, the partners agreed to provide military, diplomatic, economic and logistical aid to the U.S. and to submit to the U.S. leadership (The North Atlantic Treaty, Article 5, 6). Therefore, in case of threat to the United States national security, the allies had to respond in accordance to the NATO agreements previously made (Ikenberry, 2002).

The call for allies to join the US war against terrorism arrived swiftly. In speeches right after the 9/11 attack, and later reaffirmed in the 2002 NSS, the Bush administration called for the unity of all NATO allies and regional partners of the US in the war against terrorism (NSS, 2002). Following the 9/11 attacks, the Security Council of the UN passed the Resolution 1368, that affirmed the right of states to self-defence against terrorism, giving the US and NATO the chance to invade Afghanistan without the need of authorisation from the Security Council (Knox, 2015).

However, only a number of European states intervened alongside the US, and only in order to conform to the NATO treaty requirements (Mattelaer, 2011). Real commitment was shown in regard to counter-terrorism as Europe recognised that, because of its geographic position, EU territory could become potential target and base for terrorism. The EU adopted in June 2002 the Framework Decision on Combating Terrorism and in December 2003 the European Security Strategy (ESS) with the intention of developing a multi-faceted long-term approach to counter-terrorism (Keohane, 2005).

Even though degrees of militarisation similar to those implemented in the United States were avoided, the ESS underlined the truly internal nature of the threat, describing it as a "phenomenon […] part of our own society", therefore not excluding the eventuality of "home-grown" terrorism (ESS, 2003, pp 31). It was clear, however, that an over-aggressive counter-terrorism strategy would have, potentially, alienated the Muslim communities at a time when radical groups such as al-Qaeda were attempting to indoctrinate and recruit Muslim-European citizens (Keohane, 2005).

Moreover, the ESS consistently avoids any association between the term Islam and terrorism, preferring more neutral language to describe the threat, and rejects any connection between terrorism and Muslim communities in Europe. However, according to feminist scholars, a process of marginalisation and "othering" has characterised Europe as much as the US: the binary between the "West and the Rest" is often described in terms of gender and sexual freedoms. This kind of cultural framing, that prioritizes knowledge achieved through stereotypes over the history of colonialism and authoritarian regimes, prevents a serious inquisition of the roots of terrorism in Middle-East. In place of historical, political and social explanations of the nature of terrorism, counter-terrorism

discourses focus intentionally on cultural frameworks (Abu-Lughod, 2013). Increasing racism and gender-based discrimination against Muslims almost immediately started to be a matter of worry. Already by 2002, the European Monitoring Centre on Racism and Xenophobia (EUMC) produced a report on the negative effects of 9/11 rhetoric and counter-terrorism policies on Muslim communities. The report, that collected evidence from all European countries, described an increasing number of incidents of verbal and physical abuse on Muslim people and damage to their properties through vandalism, incendiarism and firebombs (Allen and Nielsen, 2002).

Also, even within the EU bodies, conflicts and difficulties were arising. In 2004, the EU foreign and security policy chief, Javier Solana, identified in an internal report a number of issues that the EU was facing in regard to the implementation of the counter-terrorism strategy. Some of the member states were not committing to the agreements, as for example the shared arrest warrant, and because of the lack of an EU level counter-terrorism agency, the coordination between the different nations' law enforcement officials, as well as foreign and defence policies was inadequate (Solana, 2004).

Gender, race and counter-terrorism in the United Kingdom

A number of features of the international environment in the years post-9/11 have prevented transnational and inclusive feminism from organising and have fractured communication between different feminist groups and organisations. As we have seen in the previous section, the disruption was in great part caused by the usage of feminism perspective and women's rights to justify and help in enforcing foreign counter-terrorism action on the territory of other states (Huckerby, 2016). Even within western states this disruption occurred: the inability to be intersectional expressed by western feminists had an impact on the marginalisation and silencing of Muslim women in the UK.

As Naaz Rashid (2013), a feminist researcher, pointed out, the representations and stereotypes constructed around the image of the "Muslim woman" have ties to mis-constructions that were historically present in British society. Muslim women are generally described in relation to their culture that is invariably represented as patriarchal. Very little attention is paid to other factors such as class, ethnic group, position in society, or religious differences. According to Rashid, not paying attention to those factors while referring only to religion means, first of all, perpetuating misconceptions about Muslim women being oppressed, and can have negative effects on their lives.

However, many other factors – i.e. racial discrimination - connected with the history and the structure of British society have contributed to this process of "othering". The post 9/11 UK is a very interesting case study, as will be explained in the following paragraphs, because the process of gendered racialisation that occurred in the country was in contrast with the process of instrumentalization of feminism and women's rights that was happening around the globe (Razack, 2008). In other words, while at an international level gender issues were used to justify interventionism, in Britain the critique of multiculturalism and the use of sexual freedoms to quantify the degree of civilisation of different groups were deployed with the intention of "othering" the Muslim communities within Britain.

In 2005, the New Labour government proposed and implemented a number of policy responses in line with the U.S. "war on terror". One of the first initiatives has been 'Preventing Extremism Together', that consisted in organising working groups of Muslim professionals in order to compose a series of proposals in response to terrorism. Among those were development programmes aimed to give advice to Imams and other officials and to improve

the visibility of Muslim women and to empower them as actors within their communities (Home Office, 2005). Another significant response has been the Preventing Violent Extremism (PVE) agenda that had the intention of "stopping people becoming or supporting terrorists and violent extremists" (HM Government, 2008). After its implementation, the PVE, suffered a wave of criticisms around the over-racialisation and demonization of Muslim communities (McGhee 2008) and the securitisation and minimisation of the racial equality agenda (Kundnani, 2009). Muslim communities were expected to collaborate with the authorities – in spite of the continuous surveillance – in order to reduce the risk of radicalisation. However, because of the need of a prompt response to terrorism, no time, nor resources have actually been provided for an empirical research of how to involve Muslim communities in counter-terrorism purposes (Spalek and Lambert, 2008).

The counter-terrorism agenda in the UK has, arguably, modified the social dynamics of contact between the British (white) majority and the Muslim minority. It has been observed that, since 9/11 and the terrorist attacks on 7/7 in London, Muslim communities have suffered a systematic "pathologisation" that occurred through a conflation of initiatives and policy concerns (Rashid, 2014). The term "pathologisation" is used here to indicate a process of identification of a certain group (on racial, cultural or religious basis) that, because of certain practices considered typical of that group, is seen as afflicted by a social and cultural "pathology", which affects not only the members of the group itself, but also the wider society. In this instance, apart from the association between Muslim people and terrorism, other cultural aspects linked to the idea of "Muslim" have been scrutinised and considered proof of the conflict between Islam and "Britishness". The words "Muslim" and "Britishness" are in quotation marks to represent the narrowness of the idea they attempt to describe that often has little or no confirmation in the reality.

The process of "pathologisation" can be observed in the association between the PVE agenda and initiatives aimed to empower Muslim women. In the PVE policy texts, issues linked to gendered violence (forced marriage, genital cutting etc.) and homophobia are defined as "cultural practices" (HM Government, 2008). This description is problematic in light of what Volpp (2001, pp.1190) has defined as "asymmetrical ascription of culture", which means an exclusive and imbalanced attribution of gender related issues to a minority group, highlighting the link between those and the culture of the minority. Gendered patterns of violence and discrimination are, indeed, an issue encountered in the whole British society. However, within the PVE, they are attributed exclusively to the culture of a minority group. This attribution is furtherly problematic in consideration of the existence of various different cultures and variations of belief within those that describe themselves as Muslims; "Islam is not a monolith" affirmed Hamid (2013) in an informative article in the Guardian.

Moreover, according to Rashid (2013), the pathologising discourse is typical of the wider approach to immigration and "race relations". Racial discrimination, just as gender, has been and continues to be formed through associations and relations of power (Thompson, 2015). The terrorist attacks that have occurred in Britain since 9/11 have contributed to the construction of the idea of "Muslim" as the internal "Other" (Rashid, 2013). The discourses around Britishness are also present in the PVE agenda and are constructed in contrast to what is considered to be something other than British has to be excluded from society. The discourse around Britishness also represents the overturn from multiculturalism, considered the cause of the social and cultural infection as a consequence of immigration. These discourses are both racialised and gendered (Anthias and Yuval-Davis, 1992). Identifying as Muslim means being perceived as dangerous. However, while men are openly described as threats because the association with terrorism, the empowerment of women is considered a path towards the integration and assimilation of the "Muslim culture", depicted as homogeneous and unacceptable (Rashid, 2013).

However, according to feminist researchers such as Razack (2008), the process of inclusion of Islamophobia within political discourses helped strengthen patriarchy within Muslim communities, promoting isolation from the wider society and extremism. Arguably, Muslim women currently face long-term socio-economic and political distress due to the same process that increasingly pushes Muslim communities to feel 'under siege'.

The creation of more cohesive, closed and to some degree more fundamentalist, Muslim communities is just one of the factors that affect the lives of Muslim women in the UK. In the last decade counter-terrorism measures in the UK have been encouraging, rather than stopping, the radicalisation of Muslim communities (Gould and Klor, 2014). If the final goal of terrorists is creating a backlash with the intent of radicalising Muslim people residing in the West, the PVE initiatives are only aiding the cause by strengthening the sentiment of mistrust and hatred between the Muslim communities. Paradoxically, the more Islamophobia becomes a dominant political and social narrative in the UK, the more Muslim communities will be 'under siege' and feel the need of enclosing in tradition, and the more Islamophobic tendencies will amplify (Guru, 2012).

The alteration of the social cohesion between different groups in the UK can be observed in consideration of the data collected by different agencies through surveys. A YouGov 'Social Attitudes Survey' from 2010 reported that 52 per cent of the respondents were convinced that British society was divided in terms of religion, and 45 per cent believed that religious diversity was having a negative impact on British society (YouGov, 2010). Recently, in 2017, another YouGov survey reported that 46 per cent of respondents in Britain are convinced that 'There is a fundamental clash between Islam and the values of British society'(YouGov, 2017), 63 per cent think that 'Arabs who migrated to the UK have failed to integrate', and a majority of 52 per cent associate Arab culture and societies with 'Strict gender roles' (YouGov, 2017).

The negative image of Islam diffused by British media played an important role in reinforcing stereotypes. While Islamophobic hate crimes against Muslim people were having little or no coverage, the focus was instead on extremist Muslim groups and Muslim individuals declaring their intention to join al-Qaeda in a war against the West. The normalisation, through Islamophobic discourses, of targeting Muslim communities verbally and physically led also to the introduction of such stereotyping in the political debate. The far-right parties within Europe were launching more explicit Islamophobic political campaigns highlighting the alleged conflict between Islam and Western culture (Allen and Nielsen, 2002). Putting Muslim people under greater scrutiny lead, therefore, to the maximisation of those differences as well as identification of a greater number of attitudes and behaviours that are judged negatively (Allen, 2010).

Muslim women and the process of Dehumanisation

Broadly speaking, eradicating women's oppression is considered the goal of feminism (Haslanger, 2012). Contributing to and reinforcing women's oppression in any way is, therefore, anti-feminist. Many feminists have claimed that a clear articulation of the concept of "woman" is the first step in the process of creation of a comprehensive gender theory (Haslanger, 2000). However, not only women tend to contribute to the exclusion of other women, but also the various attempts to define "woman" have been proved to be impossible and the outcomes incapable of recognising women's diversity (Mikkola, 2016). The description of the identity of one person cannot be limited to that of one's sex: it includes notions of race, culture, social status and other factors that cannot be separated or lined up in order of importance.

The counter-terrorism rhetoric and policies since 9/11 had consequences that can be defined as "dehumanising" in light of the violation of the most basic rights of an individual. In this paper, the concept of "dehumanisation" is adopted from the feminist theorising of Mari Mikkola (2016) in her book "*The wrong of injustice*". The reason why her description of "dehumanisation" is more adequate for this analysis than the human rights framework is that Mikkola has put much effort into focusing on inclusivity and intersectionality while shaping her theory, while the UDHR and CEDAW are often considered neo-colonial and paternalistic (Caluya et al., 2014). Mikkola defines "dehumanisation" as "an act or treatment […]" that "is an indefensible setback to some of our legitimate human interests, where this setback constitutes a moral injury" (6.4). "Moral injuries", moreover, are defined by Mikkola as acts perpetrated with the intention of damaging "the realisation and acknowledgement of the person's value" (6.4.2).

Muslim women experience a greater degree of discrimination because of their clothing: hijab, niqab and burqa are easily identifiable targets for hate crime. The common associations between that type of clothing and Muslim women's (lack of) personality and freedom, acts as an encouragement for their attackers, with the idea that they might be used to it because of their oppressed condition. Discrimination against Muslim women takes many forms. As reported by TELLMAMA (2016), an organisation that works in support of Muslim communities in England, the violence against Muslim women can range from verbal abuse, to workplace discrimination as well as violent assaults in the home of the victim. Sometimes it can even result in death: TELLMAMA (2016) reports that an episode of violent assault on a pregnant Muslim woman caused the death of her unborn child. In another well-known episode, a pensioner intentionally pushed a young Muslim woman in front of an underground train in London (Mortimer, 2016).

The extent of the discrimination against Muslim people that affects Muslim women is such that it can comply to Mikkola's notion of "dehumanisation" for a number of reasons. Firstly, considering different degrees of discrimination that range from verbal abuse, discrimination in the workplace and in education, to various forms of physical violence, the molestation is pervasive, permanent and continuous within British society: it combines racism to sexism in a new way, from which Muslim women never can completely escape. Secondly, it is normalised and justified by rhetoric and policies that have been part of the British political discourse for almost two decades now: perpetrators feel entitled to act violently as if they were doing a service to the country. Thirdly, discrimination and violence against Muslim women have consequences – from anxiety, depression and isolation to physical harm and death (TELLMAMA, 2016) – that can be considered a setback from the most basic rights of a British citizen and definitely have the intention of undermining the value of an individual and of a group. Therefore, such actions can be considered dehumanising and should be acted upon.

The words of those who know

Part of this research has been dedicated to the process of listening and understanding of the feelings of young Muslim women. Only some were born in Europe; others immigrated when they were children. In order to protect the identity of the women, who are still students at the University of Westminster, they will not be named in this paper. The author is committed to report and interpret the words of the interviewees without taking them out of context or alienating them from the feelings and thoughts described by the women during the interviews.

The reason for the interviews is in part to obtain a real perspective, a glimpse, on the feelings, ideas, reactions and fears of those young women throughout the past 17 years of their life. During the interviews, that have been

recorded at several intervals since the beginning of 2018, many of the issues discussed above have emerged as part of the interviewers' life. As noticed, feelings of anger, mistrust and disbelief are very common in association with the wider British society.

In describing her reaction to the events of 9/11 one of the women noticed that:

> "[…] the day it happened, our teacher during the class in Holland" (where she was living prior moving to the UK) "[…], while everyone in the class was busy – kids were just being kids – he drew on the board the twin towers […] and the airplanes, and he explained us what happened. I felt mixed emotions. When it happened, I was 10. When I came back home my mom was watching the news and she had a completely different reaction. Lots of Muslims at the time felt that […] what the US has done for years abroad, in our countries, has come back to haunt them. So, what I felt at first was grief and sadness, but when I came home was the opposite. My mum was like: - It happened to the US, this is what we have been feeling for years […] revenge and anger. – […]."

As we can understand, Muslim communities, even after 9/11, have been affected by the sufferance of other Muslims (among which, often, members of their own families that were unable to emigrate) in the Middle-East and North Africa. The idea that the geopolitical action of the US in the Middle-East in the name of state interest was, indeed, neo-colonial and exploitative was present in the Muslim communities. The feeling of being unfairly treated, in consequence of the post- 9/11 counter-terrorism policies, had a legacy of sufferance and fear that dated a long time before the terrorist attacks.

Another significant moment mentioned by all the interviewees was the first time they wore the hijab. Many of them noticed that they received a "different treatment" in comparison to other students after starting wearing the headscarf.

One of them says:

> "I started wearing it when I was nine. I felt a big difference when I started wearing it to school. My teachers at school […] would stop picking me for plays […] because they did not want me to be on stage looking like that."

And:

> "My teacher once told my parents that – 'Muslims can be good after all' – on a parents meeting." (After asking what that statement meant) "He meant that, well, most Muslims and ethnic minorities here are not educated and they do not raise their children well. I think that this is the insight he got, and he said to my parents that Muslims can also be good, they can be smart."

It is clear that the prejudices and misrepresentations also affected young children in school. Being excluded from educational activities of any kind and being considered lesser than the other children has a consequence on the educational journey of girls who wear hijab. Being told that by wearing a hijab, one is no longer able to have a role in a play can compromise a girl's self-confidence as much as her relationship with the other children. It can *lead* to anxiety, stress and mental illness in the future.

Probably the most significant part of the interviews is connected with the alienation from society, isolation, and constant feeling of hostility and danger that young Muslim women experience in their day-to-day life.

As one of them reports:

> "I am very conscious in public, especially if outside of my comfort zone. (as explained: within her family and Muslim community) […] When I am home and, in my community, I can dress as Arabic as I want. The more I venture outside of that comfort zone, consciously, I have to talk to myself. […] – Take care of what you are doing! – If I am going to central London, I will wear something more casual. […] Because it is actually dangerous to be a Muslim woman right now […], it is difficult to go along with that, but also wanting to be normal."

And also:

> "You are always on the defensive. On the train platform you can't stand close to the edge of the platform, you stay to the back. In the train on the street […] you pay attention to the stares […] of those, especially men, whose eyes are connected way more than they should be. […] I'm conscious of my actions, I'm conscious of police in crowded places […].
>
> The feelings of fear described are confirmed by the other women interviewed. They fear violence because it is real, not because they are weak. The majority of them travel alone abroad and take care of themselves just the way other women their age would. They are not oppressed: oppression comes to them from above, from those who consider them "the other".

Conclusion

Since 9/11, the process of "othering" that has been enacted against the Muslim community has had increasingly damaging effects on Muslim women. A feminist intersectional analysis of the consequences of the counter-terrorism discourses and policies helps to better understand the link between these, and the systematic discrimination and hatred experienced by Muslim women in Britain. From the first speech of the President of the United States George W. Bush, to the last article in a British newspaper labelling Muslim communities as dangerous, from the counter-terrorism agenda of the US to the one enacted in the UK, all these events and decisions lead to the increasing fear of being herself that blights a Muslim woman's everyday life. The only safe space is within one's community: the world outside hates and fears them. The construction of the environment where Muslim women live is a dehumanising process that inevitably leads to marginalisation, exclusion, silencing and violence. It leaves a permanent mark of anxiety, stress and depression. The UK government cannot fail to acknowledge the extent of the suffering of Muslim women, many of whom are British citizens, because it exists in clear violation of the most basic rights of an individual. If this neglect continues, the process will inevitably lead to the segregation of Muslim women, confining them to increasingly traditional and patriarchal communities that may eventually pursue radicalisation as a means to self-defence.

References

Abbas, T. (2001). Media capital and the representation of South Asian Muslims in the British press: An ideological analysis, Journal of Muslim Minority Affairs, vol. 21 n.2, pp 245–257.

Abu-Lughod, L. (2013). Do Muslim Women need Saving? Harvard University Press. Pp. 27-53.

Administration of George W. Bush (2007). Public Papers of the Presidents of the United States. National Archives and Records Administration: Office of the Federal Register, pp. 1258

Allen, C. (2010). Islamophobia. Pp. 83-101. Ashgate: Ebook. [Online] Available at: https://serdargunes.files.wordpress.com/2015/04/islamophobia-christopher-allen-2010.pdf

Allen, C. and Nielsen, J. (2006). Muslims in the European Union: Discrimination and Islamophobia. Vienna: EUMC.

Anthias, F. and Yuval-Davis, N. (1992). Racialized Boundaries: Race, Nation , Gender , Colour and Class and the Anti-Racist Struggle. Routledge: London. (chapter 2)

Bush, L. (2001). The Weekly Address Delivered by the First Lady, [Online] Available at: http://www.presidency.ucsb.edu/ws/?pid=24992

Bush, W. G. (2001). Remarks at the National Day of Prayer & Remembrance Service. [Online] Available at: http://www.americanrhetoric.com/speeches/gwbush911prayer&memorialaddress.htm

Bush, W. G. (2001). Address to a Joint Session of Congress and the American People. [Online] Available at: https://georgewbush-whitehouse.archives.gov/infocus/bushrecord/documents/Selected_Speeches_George_W_Bush.pdf

Caluya, G. et al. (2014). Globalisation and Feminism: Changing taxonomies of sex, gender and sexuality. The SAGE Handbook of feminist theory. SAGE Publications: London.

Charlesworth, H. (2002). The Hidden Gender of International Law, 16 Temp. Int'l & Comp. L.J., vol 93, pp, 98–100.

Enloe, C. (2014). Bananas, Beaches and Bases. Second Edition, University of California Press: London (pp. 10-20, 28-32).

Esposito, L. and Mogahed, D. (2007). Who Speaks for Islam? What a Billion Muslims Really Think. New York: Gallup Press US.

ESS (2003). European Security Strategy - A Secure Europe in a Better World. Bruxelles

Ganor, B. (2014). Identifying the Enemy in Counterterrorism Operations - A Comparison of the Bush and Obama Administrations, International law studies, vol 90 n 341, US Naval War College.

Githens-Mazer, J. and Lambert, R. (2010). Why conventional wisdom on radicalization fails: the persistence of a failed discourse. International Affairs, 86(4), pp.889-901.

Gould, E. and Klor, E. (2014). The Long-run Effect of 9/11: Terrorism, Backlash, and the Assimilation of Muslim Immigrants in the West, *The Economic Journal*. Vol. 126, n. 597, pp. 2064-2114.

Guru, S. (2012). Under Siege: The Families of Counter-terrorism, British Journal of Social Work. Vol. 42, pp. 1151-1173.

Hamid, M. (2013). Mohsin Hamid: 'Islam is not a monolith', *The Guardian.* [Online] Available at: https://www.theguardian.com/global/2013/may/19/mohsin-hamid-islam-not-monolith

Haslanger, S. (2000). Gender and race: What are they? What do we want them to be? *Nous*, vol. 34 n. 1, pp. 31-55.

Haslanger, S. (2012). Topics in Feminism, Stanford Encyclopaedia of Philosophy. [Online] Available at: https://plato.stanford.edu/entries/feminism-topics/#Bib

HM Government (2008). The Prevent Strategy: A Guide for Local Partners in England Stopping people becoming or supporting terrorists and violent extremists. [Online] Available at: http://webarchive.nationalarchives.gov.uk/20121006113442/https://www.education.gov.uk/publications/standard/publicationDetail/Page1/288324

Hobson, J. (2014). Re-embedding the global colour within post-1945 international theory, *Race and Racism in International Relations*. First Edition, Rutledge: Oxon. Pp. 81-97.

Home Office (2005). Preventing Extremism Together Working Groups HMSO, London. [Online] Available at: http://wnc.equalities.gov.uk/publications/cat_view/143-policy-documents/86-muslim-womens-network.html

Huckerby, J. (2017). *Feminism and International Law in the Post-9/11 Era*, Fordham International Law Journal, vol 39, n 533. pp 533-588.

Keohane, D. (2005). The EU and counter-terrorism, *Centre for European Reform*. CER: London [Online] Available at: http://library.coleurop.be/pdf/CER/keohane.pdf

Khan S (2005) Reconfiguring the native informant: Positionality in the global age, Signs: Journal of Women in Culture and Society, vol. 30 n. 4, pp. 2017–2035.

Knox, R. (2015). Race, Racialisation and Rivalry in the international legal order, *Race and racism in International Relations*. Routledge: London, pp. 175-193.

Kundnani, A. (2009). Spooked: How not to Prevent Violent Extremism, London: Institute of Race Relations, Institute of Race Relations. pp. 22-25.

Matias-Martinsen, J. F. (2014). A Feminist Perspective in Countering Terrorism Does it really matter? *Arellano Law and Policy Review*, vol 12, n 1, pp 39-52.

Mattelaer, A. (2011). 'How Afghanistan has Strengthened NATO', Survival, 53 p. 137.

McCarthy, P. (2002). Language, Politics and Writing: Stolentelling in Western Europe. Hampshire, UK: Houndmills, pp. XIII.

McGee, D. (2005). 'Patriots of the future? A critical examination of community cohesion strategies in contemporary Britain', Sociological Research Online, vol. 10, no. 3.

Mikkola, M. (2016). The wrong of injustice. First Edition. Oxford University Press: New York (chapter 1, chapter 6).

Monar, J. (2007). Common Threat and Common Response? The European Union's Counter-Terrorism Strategy and its Problems. Government and Opposition, vol. 42 n. 3, pp.292-313.

Mortimer, C. (2016). CCTV footage shows moment pensioner 'deliberately' shoved woman into path of London Tube train, *The Independent*. [Online] Available at: https://www.independent.co.uk/news/uk/crime/cctv-footage-shows-moment-pensioner-deliberately-shoved-woman-into-path-of-tube-train-a6991566.html

Rashid, N. (2013). Veiled threats: producing the Muslim woman in public and policy discourse in the UK. PhD thesis, The London School of Economics and Political Science (LSE).

Razack, S. (2008). Casting Out: The Eviction of Muslims from Western Law and Politics, pp. 109. Toronto: Toronto University Press.

Said, E. (2003). Orientalism. 3rd ed. London: Penguin Group, pp.12-17, 51-53, 201-209.

Spalek, B. and Lambert, R. (2008). Muslim communities, counter-terrorism and counter-radicalisation: A critically reflective approach to engagement, International Journal of Law, Crime and Justice, vol. 36, pp. 257-270.

Solana, J. (2004). Summary of remarks by Javier SOLANA, EU High Representative for the CFSP, on Terrorism and Intelligence Co-operation. [Online] Available at: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/declarations/80852.pdf

Tayler, B. and Hudson, V. (2010). Sex and the Shaheed: Insights from the Life Sciences on Islamic Suicide Terrorism, *International Security*, vol 34, n 4, pp.37-62.

Tellmamauk.org. (2018). A Constructed Threat: Identity, Intolerance and the Impact of Anti-Muslim Hatred. [online] Available at: https://tellmamauk.org/wp-content/uploads/2017/11/A-Constructed-Threat-Identity-Intolerance-and-the-Impact-of-Anti-Muslim-Hatred-Web.pdf.

The North Atlantic Treaty (1949). Article 5, 6. [Online] Available at: https://www.nato.int/nato_static/assets/pdf/stock_publications/20120822_nato_treaty_en_light_2009.pdf

Thompson, D. (2014). Through, against and beyond the racial state: transnational stratum of race, *Race and racism in International Relations.* Routledge: London, pp. 44-62.

UK Home Office. (2004). 'Terrorism Act 2000 – Arrest and Charge Statistics', September 2001-December 2004. [Online] Available at: http://www.homeoffice.gov.uk/docs3/tatc_arrest_stats.html.

United States and Bush, W.G. (2002). The national security strategy of the United States of America. [Washington], President of the U.S.

Volpp, L. (2001). Feminism versus Multiculturalism, *Columbia Law Review*, Vol. 101, No. 5 pp. 1181-1218.

YouGov (2010). YouGov / The Sun Survey Results. [Online] Available at: http://cdn.yougov.com/today_uk_import/YG-Archives-Pol-Sun-77-050710.pdf

YouGov (2017). YouGov / Arab news Survey Results. [Online] Available at: https://d25d2506sfb94s.cloudfront.net/r/8/YouGov_ArabNews_UK_Perception_Arab_World_Data_Tables.pdf

YouGov (2017). YouGov Cambridge Survey Results. [Online] Available at: https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/gmrmxjlqd3/YGC%20Tracker%20GB%20Nov%2017.pdf#page=4

8

INFANTICIDE AND ABORTION RIGHTS IN SENEGAL: MOTIVATIONS AND PREVENTION STRATEGIES THROUGH LEGAL REFORMS AND EDUCATION

Ndeye Borso Tall

Introduction

The purpose of this paper is to highlight the issues associated with abortion and infanticide in Senegal (Kane, 2015; Diouf, 2017; Ndiaye, 2018; Diouf, 2018; Archer et al., 2018). Rather than the general term *infanticide* (the killing of young children) or *filicide* (the killing by a parent of any child of their own), cases of neonaticide take place within the first twenty-four hours after birth (Oxford Reference, 2018). However, Article 285 of the Senegalese Criminal Code refers to it as infanticide, which is a crime and Article 305 fixes the term of imprisonment between one and five years (RefWorld, 2018). Although prohibited by law (Ndir, 2010; Hussain, 2014; Smith, 2014), induced abortion is practiced in Senegal (Sedgh et al., 2015). The African Woman and Child Feature Service (AWC) reveals that when facing strict restrictions to end unwanted pregnancies, women use unsafe alternative methods, thus exposing themselves to deadly consequences and time in prison (Okwemba, 2018). Furthermore, any voluntary interruption of a pregnancy leads to sanctions for both the concerned woman and those who knowingly helped her in the process (Primature, 2004; 2008; Scales-Trent, 2010; Soumah & Pemba, 2012; Lee, 2018). From a sociological perspective, another important and life affecting consequence is social exclusion (Seck, 2017a; Seck, 2017b).

This research paper grows out of my interest to understand the needs of women and youth in Africa. That said, this paper also is a follow-up to an undergraduate degree in social work between 2009 and 2012 in Senegal, which enabled me to take part in several field surveys on child protection with a focus on disability rights and street beggars. In addition to this, various internships including one in the country's prison system allowed me to address women's rights, particularly on behalf of those detained for abortion or infanticide. A key trigger to study this issue was when observing an incarcerated mother and her older child during visits. Although the mother and the grandmother who was in charge of the child considered this cold relationship legitimate, this behaviour seemed to suppress deeper feelings of rejection of motherhood altogether.

Society describes women who undergo abortion or commit infanticide as heartless (Weare, 2013; Newman, 2017). Yet, records show that they are also victims at the time of the crime (Kord, 1993; Townhead, 2015). Other studies describe those who commit infanticide as '[…] young, unmarried women with unwanted pregnancies who receive no prenatal care' (Friedman & Resnick, 2007). Civil-society organizations denounce the legal approach chosen by the judiciary to prevent cases of infanticide and abortion (FIDH, 2016; Drakullic, 2016; Christensen, 2018). For instance, in 2014, the Senegal Association of Women Jurists (AJS) submitted a request for pardon to the Head of State on behalf of a woman accused of infanticide ten years before she was taken to prison with her 3-month-old baby and was forced to leave her reconstituted family behind. Considering her situation, she was finally granted pardon and returned to her home (AJS, 2015). This case aside, Rosa De Luxembourg Foundation reports in a 2017 study that 19 per cent of the overall prison population is composed of women detained for

infanticide (Faye, 2017). In light of this, one question prevails: is imprisonment the most appropriate sanction for women charged with such crimes?

First, this paper will give significant background information on the issue of infanticide in Senegal, as well as the motivations that lead those concerned to risk imprisonment and social exclusion. Second, this situation will help expose the various failures of the legal system in the process of protecting these vulnerable women and supporting them towards a healthier and sustainable future once out of prison. Third, this calls one to reopen the debate on Comprehensive Sexuality Education (CSE) in the school system to promote, defend and protect both women's and children's rights.

Sexuality and the African society

A gap between international standards, social norms and local realities

Discussing sexuality and sexual behaviour is culturally sensitive in Sub-Saharan Africa (Chau et al., 2016). Looking at the present situation of young women across the continent, study findings show that violence, exploitation, sexual abuse, early child-bearings and unwanted pregnancies continue to widen and compromise efforts towards meeting the socioeconomic dimensions of the 2030 Sustainable Development Goals (SDG) (McArthur, 2014; Singleton et al., 2017; Leye et al., 2017; VAWG, 2018).

International human rights conventions consider abortion a human right issue, as part of an individual's right to family, privacy and dignity. Despite this, eight to eleven percent of maternal deaths around the world are due to unsafe abortion. Ninety nine percent of maternal deaths worldwide occur in the Global South and more than half of these are in Sub Saharan Africa (HRW, 2018). In a 2017 report, Liza Muringo Kimbo—the country director of Ipas Africa Alliance—highlighted the high percentage (ninety) of African women living in countries that restrict access to abortion (IPAS, 2017). Currently, there are only three countries in Africa with no restriction to get access to legal abortion: Cabo Verde, South Africa and Tunisia. The report also informs that ten out fifty-four African countries have conditional access to abortion and Zambia alone 'permits abortion for health and socioeconomic reasons' (Guttmacher Institute, 2015). Article three of the Universal Declaration of Human Rights (UDHR) states that 'Everyone has the right to life, liberty and security of person' (UN, 2018). However, anti-abortion campaigners evoke paragraph five under article six of the International Covenant on Civil and Political Rights (ICCPR) which says that a pregnant woman cannot be executed if found guilty of a crime; hence, there is a need to protect the foetus against abortion as well (Victorian Law Reform Commission, 2018). This debate was also highlighted in a report of the Center of Reproductive Rights in the USA to denounce restrictions (Center Reproductive Rights, n.d.). The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa is the first international instrument which explicitly highlights the need to 'Protect the reproductive rights of women by authorizing medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus' (ACHPR, 2003; Gawaya & Mukasa , 2005).

In Senegal, there are only two prisons for women. This is in response to the problem of their incarceration in prisons dominantly populated by men (Sarkin, 2008; Van Den Bergh et al., 2011). In spite of the presence of various NGOs in these institutions, on-site social workers struggle to prepare them for their social reintegration (Panet, 2013; Sydney, 2013; UNFPA, 2016). Narratives of three young women who agreed to share their experiences

show that shame, poverty, and ignorance about the risks of unprotected sex explain the root of the crime they were accused of. They had in common their young age at the time of their prosecution, their professional occupation (housework), their level of education which ended at primary school, their fear of society's reaction after they found out about their pregnancy and their conviction of 5 years' imprisonment. The excerpts below are left detailed to further understand the impact of infanticide in their lives and in that of their community.

Table 1: Excerpts from Interviews

Age	Excerpts from Interviews
18	**Interviewee 1:** I was 18 when I became pregnant out of wedlock. I recalled having late menstrual periods and not paying much attention to it. I also knew that this delay could be due to a brief non-protected intercourse few months earlier. We had sex from time to time. I did not use contraceptive methods. Two months later, fear overtook me as my pregnancy was confirmed. I mostly feared my parents' reaction if they found out. Because of this, I hid my condition from my relatives. Pretending that my aunt's house was too small to host me during weekdays, I proposed to my boss to spend the nights at her house and to only return home every 15 days. My boss was not aware of my pregnancy […] I managed to hide my belly in wide clothes as she was at home on Sundays […] I tried aborting by drinking potions […] but it failed to stop the pregnancy […] I gave birth. The delivery happened in my workplace in the toilet. After the delivery, I took the baby who was not alive and put it in the toilet sewer. In front of the new-born, I felt nothing. My action had blocked the pipes and it was the garbage man who came to solve the problem that discovered the new-born. He called my boss. The latter alerted the police […] What motivated my action is that I was already living in difficult conditions. I come from a polygamous family. My father has four wives. I have many sisters and brothers. My father is old […] He does not work anymore, so every woman has to look after her children herself. I am the second child of my mother. The elder was born with a disability. That's why I came to work in Dakar to help my mother stay in the village. When I arrived in Dakar, I lived with my aunt who had welcomed me […] I did not want to disappoint her. Also, the arrival of a child annihilated my chances of being able to work and thus help my family. On top of that the author of my pregnancy[1] was not aware of my condition. He had joined his brother in […]. We had broken up in the meantime and we had never phoned. We had no contact."
19	**Interviewee 2:** I became pregnant at the age of 18. It was to a guy whom I had met through one of my roommates. He works as a mason. He is single. I am very in love with him. He helped me financially in addition to paying the room fee. We had unprotected sex sometimes. I did not know much about the contraceptive methods and I did not want to use them because I had heard that they destroyed the reproductive system and that later, would lead to problems to have children. He was calculating my period cycle and if he thought it was dangerous, he used a condom. I became sick and went to the hospital believing it was a start of malaria. After analysis, I learned that I was pregnant. I was scared but the author reassured me […] He accepted to take full charge. I had not informed my mother of my condition. No, I had never tried to put an end to my pregnancy so I did not hide it […] He said it was the divine will. I had all my prenatal check-ups. One evening I started to feel stomach pains and somehow, I ended up outside... I started to walk along the canal. It was around 11pm when I felt something, so I squatted and saw the baby coming out. I gave birth in the street just next to the canal. I took the baby and wrapped it in the blanket I had on my shoulders to show to my roommate. It was an old man who lived in the same house who denounced me after hearing me tell the story to her and having seen my clothes stained with blood. I did not commit a crime. I am a victim of my ignorance because this child I had desired as much as his father and after birth, the plan was to get married."

1 The 'author' of a pregnancy refers to the man whom is biological the father, but by law is not confirmed to be the father. This is a directed translated from French.

18	**Interviewee 3:** I became pregnant in circumstances that embarrass me. The author of my pregnancy is the security guard of the house where I worked. He is married but his wife is in the village. We did not have a romantic relationship. We were just friends, I got on well with him. My pregnancy is the result of an accident because I had sex with him only once. […] It was an act of weakness. I knew about contraceptive methods, but I had never used them. Coming to Dakar it never occurred to me that I could one day deceive my husband. I did not use them for my previous pregnancies; I had a traditional talisman around my waist to space births. When I learned that I was pregnant, I immediately decided not to let anyone know about my pregnancy, even the author. I was ashamed of myself because it was work that brought me to Dakar and I greatly regretted my weakness. I did not try to end the pregnancy because I was afraid it would bring me complications in my health. It's a pregnancy I did not want at all, maybe it's God who put it in my destiny. I managed to hide my pregnancy until the 9th month. The delivery happened at my place of work. I gave birth in the toilet. After giving birth, I put the baby in a plastic bag and hid it in a closet. I waited until the house was empty to take the stillborn baby and put him in the sewers. I felt nothing about the new-born but I was afraid of being discovered and I was very anxious the days following my act. It was through a problem in the sewage system that I was discovered because the foetus had blocked the pipeline. When they extracted it, the police opened an investigation that's how I was brought here. My husband still does not know that I am in prison. I think of my children and my mother. I really regret coming to Dakar. If by the grace of God, I leave this prison, I will never again set foot in Dakar. I came to work in Dakar with my mother's permission because I had problems taking care of my children. […] I did this act because I was ashamed of myself. It was unthinkable for me to go back to the village with a baby in my arms. How would I have seen my children? My family? And the people of the village? I did it to save my honour and not to tarnish the honour of my children. I deeply regret it.

Many experts have identified the core issues that led these women to infanticide: ignorance and access of contraceptive methods (Clarke et al., 2014). Although recent studies indicate that there is an improvement trend in the overall use of contraception, hence the satisfaction of foreign donors such as the Gates Foundation which stated that 'achieving the family planning goal makes it more likely that we will achieve every other Sustainable Development Goal' (Gueye, et al., 2017), there is still progress to be achieved concerning young unwed women. Today, although the urban population of Senegal (43 per cent) generally has more access to healthcare services and education, studies show that women do not consistently benefit from this. Between 1978 and 2015, eleven studies were conducted to measure the access and use of contraception by women aged fifteen to forty-nine in Senegal (UN, 2017). Results showed that while 0.6 per cent used any method of contraception in 1978, only 21.2 per cent of the women interviewed in 2015 reported use of any method of contraception. The table below summarizes the use of contraceptive methods in Senegal, Zambia and Zimbabwe. All have similar socio-graphic descriptions (Worldometers, 2018). Yet, Senegal is far behind.

Table 2: Comparative statistics about contraceptive use

Country	Population	Median Age	Urban Pop %	Contraceptive Use
Zambia	17,609,178	17	39	1992: 8.9% 2014: **44.7%**
Zimbabwe	16,913,261	19	30	1984: 26.6% 2015: **65.8%**
Senegal	16,294,270	18	43	1978: 0.6% 2015: **21.2%**

This research indicates that socioeconomic pressure often pushes women, and especially young mothers, to jeopardize their health and their freedom in order to cover shame and to protect the honour of their families. Moreover, excerpts from the interviews and related reports have helped identify the obstacles women face when dealing with sexuality in society. Restricted or not, the response of these women in the context of an unwanted pregnancy indicates that infanticide is most likely risked when there is no other alternative.

Breaking the taboo with comprehensive sexuality education in the school system to promote, defend and protect women's and children's rights

Comprehensive Sexuality Education is a human 'rights-based and gender-focused approach to sexuality education' (Berglas, et al., 2014). UNFPA further explains that the programme is consisted of teaching young people about sexuality in and outside of school settings (UNFPA, 2010). According to Chau et al., Senegal primary and secondary schools offer the course in the framework of natural sciences and Family Life Education (FLE) pilot projects. These courses limit the youth from getting a broader knowledge about sexuality as the content focuses on health and reproductive matters. In other words, teachers talk to students about the male and the female anatomy, health issues related to HIV/AIDS and Sexually Transmitted Diseases (STD). Moreover, as it is the case across the world, they shy away from demonstrations and discussions when it comes to discussing the use of condoms (Collins, 2010).

In a recent study, International Planned Parenthood (IPPF) highlights the challenges the youth faces from a legal perspective. One the one hand, customs expect young men and women not to engage in sexual relations until marriage. This as a result limits young people in their sexual emancipation (IPPF, 2017). On the other, Article 320 of the Senegalese Penal Code fixes the age of consent to 16 years old. From a health perspective, those who are younger than 16 and who are sexually active have more difficulties accessing protective measures from healthcare services (Croussouard, et al., 2017). That said, Christina et al., (2015) highlight in their studies that 'parents are sometimes perceived as barriers to providing comprehensive and inclusive sexuality education to young people', hence the lack of open discussion about sexuality in the household as well.

Primarily in connection with the HIV prevalence rate—below one percent for people all ages and sex included (UNAIDS, 2017; The Economist, 2018)—as well as with the legal measures to protect sex workers (The Economist, 2018), Senegal has proven willingness to bring solutions to issues populations face in terms of sexual and reproductive rights over the past decades. However, issues persist (OSF, 2007; Foley, 2016; NSWP, 2018). In addition to this, 42 years of campaign in support of contraceptive usage in Senegal does not seem to have had the desired effect to overcome the challenge of sociocultural resistances and to protect women from unwanted pregnancies. It is therefore important to point out that the insufficient contraceptive use reflects the urgent nature of the matter. In other words, there clearly is a lack of knowledge about how contraception works and its risks for women.

Equal access to quality education for all remains another issue tarnished by stigma and inequalities. In spite of the desire to ensure access to pregnant girls, efforts to maintain them enrolled remains a challenge (Craissati & King, 2007; UNESCO, 2018). Human Rights Watch reveals that policies are 'often poorly carried out and not well-monitored' (HRW, 2018). The truth is that being young, pregnant and in school is difficult (Look, 2010a; Look, 2010b).

One key suggestion while waiting to legally tackle the issue of abortion rights is to gear efforts towards strategies to empower communities through Human Rights Education. Since 2012, I have developed a youth network called

"Young Advocates for Human Rights", which aims to build bridges between young people aged 6 and 35 and develop in them a strong sense of human rights awareness and civic engagement. Our goals include mobilizing the youth to take an active interest in the civic, cultural, social and political progress of the communities they serve, which later, will help impact the youth across Sub Saharan Africa (YAHR, 2018). The network's acronym, YAHR, means "Education" in Wolof, language spoken in Senegal, the Gambia and across West Africa. Endeavours are undertaken to help influence communities for more effective practices to reduce inequalities. Young advocates have engaged in various activities to learn about human rights and, in return, share their knowledge and experiences with their peers in the outskirts of Dakar and inland where reports show less access to quality education. Experiences over the years have indicated that the more the youth knows about human rights, the more they are eager to stay in school and manifest their civic engagement through community service and advocacy. This network is designed to provide support and knowledge to the youth.

Conclusion

Unwanted pregnancy is a global issue and carries lifelong consequences for women in countries like Senegal, especially in contexts of poverty. Moreover, as was the case of the mother with her visiting infant, such socioeconomic pressures cause women to become numb in the face of motherhood and the role they play in the lives of their older children.

The lack of education about reproductive rights is a key source to the obstacles they face before and after committing the crime of infanticide. From a legal perspective, it has been shown that the laws criminalizing abortion have been in place for a long time and no longer reflect the realities of the Senegalese society. The seriousness of infanticide, especially in cases of neonaticide also show that imprisonment is not the solution. From a sociological perspective, conclusions continue to infer that these vulnerable women are exposed to constant exploitation, increased poverty, insufficient vocational training opportunities and professional qualifications. All these problems are a violation of their basic human rights.

Infanticide should not be understood and responded to as a crime but as a reflection of deeper problems that can be partly addressed by supporting Comprehensive Sexuality Education in the school system. In addition to this, legalizing abortion will not deny practitioners their right to refuse to terminate a pregnancy even if it were legal. This is in light of the concept of freedom of conscience as found in Article 18 of the UDHR. The ultimate motive to decriminalize abortion remains to protect women from the effects of unsafe practices and infanticide.

The Young Advocates for Human Rights network serves as a bulwark against the social scourge that women encounter. In addition to what is taught to them through existing programs which focus their mission on raising awareness about sexualities from the perspective of reproductive healthcare, the network aims to take the debate about CSE to another level; that is into the community and in schools, by the youth and among their peers. With developments of innovative ideas to reflect the realities of the Senegalese society, this paper aims to support actions to reduce cases of both infanticide and neonaticide and end illegal abortions.

References

ACHPR, (2003). Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Available from: http://www.achpr.org/instruments/women-protocol/#14 [Accessed 20 April 2018].

AJS (2015). Rapport sur la Situation des Droits des Femmes dans le Milieu de Détention au Sénégal. Available from: http://www.westafrica.ohchr.org/IMG/pdf/rapport_femmes_detention.pdf [Accessed 30 August 2018].

Archer, N., Finden, A. & Pearson, H. (2018). The law, trials and imprisonment for abortion in Senegal, Lima: International Campaign for Womens' Rights to Safe Abortion. Available from: http://safeabortionwomensright.org/wp-content/uploads/2018/04/The-law-trials-and-imprisonment-for-abortion-in-Senegal-April-2018.pdf [Accessed 01 May 2018].

Barbara Crossouard, Máiréad Dunne & Naureen Durrani (2017): Silencing youth sexuality in Senegal: intersections of medicine and morality, Gender and Education. Available from: https://doi.org/10.1080/09540253.2017.1296115 [Accessed 15 April 2018].

Berglas, N. F., Constantine, N. A. & Ozer, E. J. (2014). A Rights-Based Approach to Sexuality Education: Conceptualization, Clarification and Challenges. Perspectives on Sexual and Reproductive Health, 46(02), 63-72. Available from: https://onlinelibrary-wiley-com.ezproxy.lib.gla.ac.uk/doi/epdf/10.1363/46e1114 [Accessed 02 May 2018]

*Center Reproductive Rights, n.d. *reproductive Rights,* NY: Center of Reproductive Rights.

Chau, K., Seck, A. T., Venkatraman, H. & Joar, S. (2016). Scaling up sexuality education in Senegal: integrating family life education into the national curriculum. Sex Education, 06 January, 16 (05), 503-519. Available from: https://doi.org/10.1080/14681811.2015.1123148 [Accessed 30 April 2018].

Christensen, S. (2018). Activists: Senegal's Abortion Laws Lead Women to Infanticide, Prison. Available from: https://www.voanews.com/a/activists-senegal-abortion-laws-lead-women-to-infanticide-prison/4438964.html [Accessed 14 August 2018]

Clarke, K. et al. (2014). UNDERSTANDING UNINTENDED PREGNANCY IN SENEGAL: COUNTRY PROFILE REPORT. Available from: https://www.popcouncil.org/uploads/pdfs/2014STEPUP_SenegalCountryProfile.pdf [Accessed 20 April 2018].

Collins, N. (2010). Teachers too embarrassed to teach sex. Available from: https://www.telegraph.co.uk/education/educationnews/7904538/Teachers-too-embarrassed-to-teach-sex.html [Accessed 24 August 2018].

Craissati, D. & King, L. (2007). A Human Rights-Based Approach to EDUCATION FOR ALL. Available from: https://www.unicef.org/publications/files/A_Human_Rights_Based_Approach_to_Education_for_All.pdf [Accessed 05 May 2018].

Diouf, A. (2017). Infanticide à Bambey : une nouvelle mariée étouffe son bébé. Available from: https://www.pressafrik.com/Infanticide-a-Bambey-une-nouvelle-mariee-etouffe-son-bebe_a161723.html [Accessed 20 April 2018].

Diouf, A. (2018). Vente de médicaments pour avortements: trois étudiants arrêtés par la Section Mœurs. Available from: https://www.pressafrik.com/Vente-de-medicaments-pour-avortements-trois-etudiants-arretes-par-la-Section-Moeurs_a185997.html [Accessed 14 August 2018].

Drakullic, K. (2016). The Global Politics of Post-Abortion Care in Senegal. Available from: https://cla.umn.edu/gwss/news-events/story/global-politics-post-abortion-care-senegal [Accessed 05 May 2018].

Faye, F. (2017). Le Monde Carceral et Post-Carceral des Femmes Detenues Au Senegal. Available from: http://www.rosalux.sn/wp-content/uploads/2017/10/Article-femmes-et-milieu-carcéral.pdf [Accessed 03 May 2018].

Foley, E. (2016). Regulating sex work: subjectivity and stigma in Senegal. Culture, Health and Sexuality, June, 19(1), 50-63. Available from: https://doi.org/10.1080/13691058.2016.1190463 [Accessed 18 April 2018].

FIDH (2016). The United Nations again urges Senegal to decriminalize abortion. Available from: https://www.fidh.org/en/impacts/the-united-nations-again-urges-senegal-to-decriminalize-abortion [Accessed 03 May 2018].

Friedman, S. H. & Resnick, P. J. (2007). Child murder by mothers: patterns and prevention. World Psychiatry, October, 06(03), 137–141. Available from: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2174580/ [Accessed 03 May 2018].

Gawaya, R. & Mukasa , R. S. (2005). The African Women's Protocol: A New Dimension for Women's Rights in Africa. Gender and Development, 13(03), 42-50. Available from: 10.1080/13552070512331332296 [Accessed 03 May 2018].

Gueye et al. (2017). Senegal has practically eliminated contraceptive shortages. Here's how. Available from: https://www.weforum.org/agenda/2017/11/senegal-has-practically-eliminated-contraceptive-shortages-here-s-how/ [Accessed 15 May 2018].

Guttmacher Institute (2015). Abortion in Senegal. Available from: https://www.guttmacher.org/fact-sheet/abortion-senegal [Accessed 01 May 2018].

HRW (2018). Africa: Pregnant Girls, Young Mothers Barred from School. Available from: https://www.hrw.org/news/2018/06/14/africa-pregnant-girls-young-mothers-barred-school [Accessed 27 July 2018].

HRW (2018). Q&A: Human Rights Law and Access to Abortion. Available from: https://www.hrw.org/news/2017/07/24/qa-human-rights-law-and-access-abortion [Accessed 02 May 2018].

Hussain, M. (2014). In Senegal, women kill own babies due to strict abortion laws. Available from: https://www.reuters.com/article/us-senegal-women-abortion/in-senegal-women-kill-own-babies-due-to-strict-abortion-laws-idUSKCN0JF31220141201 [Accessed 01 May 2018].

IPAS (2017). Toward Safe and Legal Abortion as a Human Right in Africa. Available from: http://www.ipas.org/en/News/2017/February/Toward-safe-and-legal-abortion-as-a-human-right-in-Africa.aspx [Accessed 03 May 2018].

IPPF (2017). Over-protected and under-served. Available from: https://www.ippf.org/sites/default/files/ippf_coram_uk_report_web.pdf [Accessed 24 July2018].

Kane, O. D. (2015). Avortement provoqué: Les chiffres qui font peur. Available from: https://www.pressafrik.com/Avortement-provoque-Les-chiffres-qui-font-peur_a134942.html [Accessed 20 April 2018].

Kord, S. (1993). Women as Children, Women as Childkillers: Poetic Images of Infanticide in Eighteenth-Century Germany. Eighteenth-Century Studies, 26(03), 449-466. Available from: https://www.jstor.org/stable/2739413 [Accessed 04 May2018].

Lee, A. (2018). Access to Family Planning in Senegal Can Stem Infanticide, Abortion, and the Jailing of Women. Available from: https://pulitzercenter.org/reporting/access-family-planning-senegal-can-stem-infanticide-abortion-and-jailing-women [Accessed 02 May 2018].

Leye, M. et al. (2017). Epidemiological and Clinical Aspects of Domestic Violence in Senegal.. Health, 10 September, 9(10), 1404-1415. Available from: https://doi.org/10.4236/health.2017.910103 [Accessed 02 May 2018].

Look, A. (2010a). In Senegal, Educators Fight to Keep Girls in School. Available from: https://www.voanews.com/a/in-senegal-educators-fight-to-keep-girls-in-school-90622194/161553.html [Accessed 03 May 2018].

Look, A., 2010b. Senegal's rising trend of teen pregnancy. Available from: https://www.pri.org/stories/2009-06-19/senegals-rising-trend-teen-pregnancy [Accessed 03 May 2018].

McArthur, J. W. (2014). The Origins of the Millennium Development Goals. SAIS Review of International Affairs, 34(02), 5-24. Available from: http://muse.jhu.edu.ezproxy.lib.gla.ac.uk/article/56259 [Accessed 02 May 2018].

Ndiaye, A. (2018). Poursuivie pour délit d'avortement, M. S Diop âgée de 14 ans sera édifiée sur son sort le 8 mars. Available from: https://www.pressafrik.com/%E2%80%8BPoursuivie-pour-delit-d-avortement-M-S-Diop-agee-de-14-ans-sera-edifiee-sur-son-sort-le-8-mars_a179356.html [Accessed 20 April 2018].

Ndir, O. (2010). Une étudiante de l'Ucad condamnée à 5 ans de travaux forcés pour infanticide. Available from: https://www.senenews.com/actualites/societe/faitsdivers/une-etudiante-de-lucad-condamnee-a-5-ans-de-travaux-forces-pour-infanticide [Accessed 01 May 2018].

Newman, S. (2017). Infanticide. Available from: https://aeon.co/essays/the-roots-of-infanticide-run-deep-and-begin-with-poverty [Accessed 01 May 2018].

NSWP (2018). Sex work in Senegal. Available from: http://www.nswp.org/news/sex-work-senegal [Accessed 20 Apr. 2018].

Okwemba, A. (2018). Women turn anti-ulcer drug into abortion pill - African Woman and Child Feature Service. Available from: http://www.awcfs.org/index.php/81-features/reproductive-health/236-women-turn-anti-ulcer-drug-into-abortion-pill [Accessed 04 May 2018].

OSF (2007). HIV/AIDS Policy in Senegal: A Civil Society Perspective. Available from: https://www.opensocietyfoundations.org/reports/hivaids-policy-senegal-civil-society-perspective [Accessed 18 Apr. 2018].

Oxford Reference (2018). Neonaticide. Available from: http://www.oxfordreference.com.ezproxy.lib.gla.ac.uk/view/10.1093/acref/9780198802525.001.0001/acref-9780198802525-e-4530?rskey=ZUsHvf&result=2851 [Accessed 20 April 2018].

Panet, S. (2013). Le quartier des femmes Au Sénégal, des détenues en détresse. Available from: https://tostan.org/wp-content/uploads/le_quartiers_des_femmes_au_senegal_des_detenues_en_detresse.pdf [Accessed 01 May 2018].

Primature (2004). DECRET n° 2004-414 du 2 avril 2004. Available from: http://www.jo.gouv.sn/spip.php?article5253 [Accessed 30 August 2018].

Primature (2008). DECRET RECTIFICATIF n° 2008-342 du 31 juillet 2008 au décret n° 2008-446 du 28 avril 2008. Available from: http://www.jo.gouv.sn/spip.php?article7294 [Accessed 30 August 2018].

RefWorld (2018). Sénégal: Code penal. Available from: http://www.refworld.org/docid/49f5d8262.html [Accessed 20 April 2018].

Sarkin, J. (2008). Prisões na África: uma avaliação da perspectiva dos direitos humanos. Sur. Revista Internacional de Direitos Humanos, 05(09), 22-51. Available from: http://dx.doi.org/10.1590/S1806-64452008000200003 [Accessed 02 May 2018].

Scales-Trent, J. (2010). Women Lawyers, Women's Rights in Senegal: The Association of Senegalese Women Lawyers. Human Rights Quarterly, 32(01), 115-143. See 117-135-136. Available from: https://www.jstor.org/stable/40390004 [Accessed 02 May 2018].

Seck, M. C. (2017a). Au Sénégal, les cas d'infanticides posent la question de la légalisation de l'avortement. Available from: https://www.lemonde.fr/afrique/article/2017/09/17/au-senegal-les-cas-d-infanticides-posent-la-question-de-la-legalisation-de-l-avortement_5186962_3212.html [Accessed 20 April 2018].

Seck, M. C. (2017b). Condamnées pour infanticide, des Sénégalaises racontent. Available from: https://www.lemonde.fr/afrique/article/2017/09/18/condamnees-pour-infanticide-des-senegalaises-racontent_5187443_3212.html [Accessed 20 April 2018].

Sedgh, G. et al. (2015). Estimates of the Incidence of Induced Abortion and Consequences of Unsafe Abortion in Senegal. International Perspectives on Sexual and Reproductive Health, March, 41(01), 11-19. Available from: https://www.guttmacher.org/journals/ipsrh/2015/ [Accessed 02 May 2018].

Singleton, R., Winskell, K., Nkambule-Vilakati, S. & Sabben,, G. (2017). Young Africans' social representations of rape in their HIV-related creative narratives, 2005–2014: Rape myths and alternative narratives. Social Science & Medicine, 26 December, Issue 198, 112-120. Available from: https://doi.org/10.1016/j.socscimed.2017.12.032 [Accessed 02 May]

Smith, A. D. (2014). Senegalese law bans raped 10-year-old from aborting twins. Available from: https://www.theguardian.com/global-development/2014/apr/04/sengalese-law-bans-rape-survivor-aborting-twins [Accessed 01 May 2018].

Soumah, M. M. & Pemba, L. F. (2012). Détention provisoire des jeunes femmes accusées d'avortement clandestin ou d'infanticide au Sénégal. The Pan African Medical Journal. Available from: http://www.panafrican-med-journal.com/content/article/12/49/full/ [Accessed 02 May 2018].

Sydney, S. (2013). International Women's Day: A Celebration at the Dakar Women's Prison. Available from: https://www.tostan.org/fr/international-womens-day-celebration-dakar-womens-prison-3/ [Accessed 02 May 2018].

The Economist. (2018). How a small African nation is beating AIDS. Available from: https://www.economist.com/middle-east-and-africa/2018/03/01/how-a-small-african-nation-is-beating-aids [Accessed 18 Apr. 2018].

The Economist. (2018). Senegal's innovative approach to prostitution. Available from: https://www.economist.com/blogs/economist-explains/2018/04/economist-explains-10 [Accessed 18 Apr. 2018].

Townhead, L. (2015). Children of Incarcerated Parents International Standards and Guidance. Available from: www.quno.org/sites/default/files/resources/QUNO%20-%20Children%20of%20Incarcerated%20Parents%20International%20Standards.pdf [Accessed 03 May 2018].

UN (2017). World Contraceptive Use 2017. Available from: https://www.un.org/en/development/desa/population/publications/dataset/contraception/wcu2017.shtml [Accessed 03 May 2018].

UNAIDS (2017). Senegal. Available from: http://www.unaids.org/en/regionscountries/countries/senegal [Accessed 9 Aug. 2018].

UN (2018). Universal Declaration of Human Rights. Available from: http://www.un.org/en/universal-declaration-human-rights/ [Accessed 01 May 2018].

UNESCO (2018). Education: Number of out-of-school children of primary school age.

Available from: http://data.uis.unesco.org/index.aspx?queryid=121 [Accessed 28 August 2018].

UNFPA (2010). Comprehensive sexuality education. Available from: https://www.unfpa.org/comprehensive-sexuality-education [Accessed 07 June 2018].

UNFPA (2016). Celebration of International Women's Day. Available from: https://translate.google.co.uk/translate?hl=en&sl=fr&u=https://senegal.unfpa.org/fr/news/c%25C3%25A9l%25C3%25A9bration-de-la-journ%25C3%25A9e-internationale-de-la-femme&prev=search [Accessed 02 May 2018].

Van Den Bergh, B., Gatherer, A., Fraser, A. & Moller, L. (2011). Imprisonment and women's health: concerns about gender sensitivity, human rights and public health. Available from: http://www.who.int/bulletin/volumes/89/9/10-082842/en/ [Accessed 03 May 2018].

VAWG (2018). Violence Against Women & Girls. Available from: http://www.vawgresourceguide.org/initiate [Accessed 14 August 2018].

Victorian Law Reform Commission (2018). Appendix D - Human rights and abortion, Victoria: Victorian Law Reform Commission. Available from: http://www.lawreform.vic.gov.au/content/appendix-d-human-rights-and-abortion-0 [Accessed 14 August 2018]

Weare, S. (2013). The Mad, The Bad, The Victim: Gendered Constructions of Women Who Kill within the Criminal Justice System. Laws, 18 September, 02(03), 337-361. Available from: https://doi.org/10.3390/laws2030337 [Accessed 02 May]

WHO (2018). Maternal mortality. Available from: http://www.who.int/en/news-room/fact-sheets/detail/maternal-mortality [Accessed 03 May 2018].

Worldometers, I. (2018). African Countries by population. Available from: https://www.worldometers.info/population/countries-in-africa-by-population/ [Accessed 02 May 2018].

YAHR (2018). The Young Advocates for Human Rights network. Available from: https://doi.org/10.3390/laws2030337 [Accessed 14 August 2018].

9

THE POLITICS OF HUMAN RIGHTS & SELF-DETERMINATION: THE CASE OF TIBET

Liam Bemrose

Introduction

Tibet's geographical location made it a strategic point of interest for the great empires of the continent and beyond. This included the Mongols, the Russians, the Manchus, the British, and the Chinese. However, Tibetans claim that in between their dealings with these empires Tibet had always remained an independent entity. Tibet as a nation dates back to the seventh-Century when King Songtsen Gampo unified the country and expanded control (Michael, 1987). The struggle that Tibet faces today can be accounted to Tibet failing to establish their independence in modern terms, they had always been an independent nation but failed to become a state in the eyes of the United Nations (UN) (Walt van Praag, 1987).

In the struggle for independence Tibetans now face increasing abuse on their human rights, with any expression of Tibetan independence being met with arrest, torture, and death. The right of self-determination provides hope to Tibetans and all peoples subject to domination, exploitation, and oppression by subjugation from their encompassing state, "It is applicable to all territories, colonial or not, and to all peoples" (McCorquodale, 1994, p.883). However, in this exercise of hope, there is a hidden causal relationship with human rights abusers. This paper expounds this hidden cyclical link between claims for self-determination and abuse on human rights, specifically in the case of Tibet.

The two key concepts that make up this relationship are both inherently contested and disputed discourses, neither boast a shared definition nor an effective body to implement them. The vexed nature of the concepts of human rights and self-determination allow for the abuses of Tibetans to continue and worsen. This disquisition discusses these concepts and the link they share in the case of Tibet.

The first section will discuss the theory of human rights by first defining the plagued concept and examining the foundations that gave birth to it. The following section opens up a discussion on the discourse of the right to self-determination, analysing the multifaceted concept and the many branches of the discourse. Importance is given to a clear definition of what constitutes a 'people'. The latter half of the section will evaluate the legitimacy of the Tibetan's claim to self-determination under the current occupation of the PRC.

The final section evaluates key events that have occurred since the Chinese occupation of Tibet in 1950 and substantiates the claim of a link between exercises of self-determination and the rise of abuse on human rights. At its end, the section will propound approaches to be taken within international law to solve Tibetan grievances that eventuate from self-determination.

At its conclusion, this paper will re-evaluate the claims of the main argument, that exercises of self-determination by Tibetans correlates with an increase in abuses of human rights. The fault lies within the ineffective instruments of implementation within international law and the lack of an international body implementing human rights.

The methodology of this paper is a critical reading and analysis of existing scholarship and deals primarily with qualitative data. In searching for the literature, it came to attention that there is not an abundance of literature specifically on self-determination and Tibet. Therefore, a part of this paper includes key literature that focused solely on either self-determination, human rights, or Tibet (see: Hannum, 1992; Donnelly, 2013; Walt van Praag, 1987).

Human Rights

What are Human Rights?

To define human rights is to define the very meaning of what it is to be human, and how this meaning is constructed, and how in turn that constructs the societies we live in, coming full circle in constructing us. Human rights are a particular social practice, founded on a relationship between being human, and having equal, inalienable, and universal rights, which are formed from emphasising certain values, and selecting a mechanism to advance those values, which are needed for a life worthy of a human being (Nickel, 2006; Donnelly, 2013). This conception of 'being human' and realising abstract values of liberty, equality, and security seek to challenge existing norms, practices, and institutions.

The origins and foundation of human rights are greatly contested, this is accountable to human rights being a moral and political set of ideas and practices, which characterises "virtually everything encompassed by the notion of 'human rights'" to be "the subject of controversy" (Brown, 1999, p.103). Furthermore, Freeman (1994) argues that human rights are a non-foundational conceptual theory, leaving it vulnerable to scepticism, however, substantive theories of moral rights (see: Sumner, 1987) and human rights (see: Donnelly, 2013) have given the discourse of human rights a foundation to work with. To reveal the origin of human rights one must explore the relationship amongst human nature, human needs, and human rights.

Donnelly's (1985) constructivist theory of human nature and human rights, propounds human nature as a moral posit of states and societies. This moral posits through government interaction and the making of covenants and declarations have transferred what human nature was at the time from abstract thought to paper. The difficulty in defining human nature is attributable to it being an ongoing social project. Human nature constructs basic human needs, which sequentially forms human rights, subsequently, this forms civil and political society, and ultimately these societies again form human nature. This occurs through human rights implementing the social and political changes required to reach a moral vision of human nature.

Human needs, being the logical prerequisite of human rights, provide an enhanced conceptual foundation for human rights as a theory (Maslow, 1970; McHale and McHale, 1979; Green, 1981; Bay, 1982). Human needs represent the most basic elements of life, such as access to adequate shelter, food, clean water, health services, and educational opportunities. This has been written into the Universal Declaration of Human rights (UDHR) under Article 25.

The primary challenge that faces contemporary human rights is in its 'universality'. The UDHR, being the preeminent document in the growing corpus of human rights instruments, is engulfed within the debate of universality, with some scholars asserting that the UDHR, and thus human rights, reflects an 'ethnocentric bias' and a 'moral chauvinism' (Pollis and Schwab, 1980), whilst others argue that the Third World played a crucial and influential part in its drafting (Tharoor, 1990; Glendon, 2003). Brems (2001) avers that the controversy is

caused and intensified by conceptual confusion, a lack of agreement over whether the universality of human rights equates to a philosophical agreement or a universal application.

One of the issues with human rights is that they are universal only in theory and not so in its implementation, this is due to the implementation of human rights remaining exclusively national, with the few cases of international implementation representing ulterior motives of the state (see: Bellamy, 2005; Wilson, 2005).

This paper focuses on a more willingly universally accepted core group of human rights, non-derogable rights that are considered jus cogens. These rights are covered by the UDHR and refer to the right of every person to not be "subjected to torture or to cruel, inhuman or degrading treatment or punishment" (United Nations, 1948, article 5).

Self-Determination

Defining Self-Determination & Peoples

Self-determination as a concept is plagued every bit as much as human rights vis-à-vis its contested definitions, applications and the concepts it encapsulates.

> "All peoples have the right of self-determination. By virtue of this right they freely determine their political status and freely pursue their economic, social and cultural development" (United Nations, 1966b, article 1) ... "without external interference" (United Nations, 1987, article 1).

The above provides us with the nearest shared definition for self-determination, however, it also provides us with a caveat of the conflict within the concept. Critics (Crawford, 1996; Berman, 1988) and proponents (see: Cunningham, 2014; Nanda, 1972; Buchanan, 2003) alike criticise the indeterminate nature of the concept. The plethora of varied forms of self-determination are attributable to the aforementioned, resulting in the discourse containing predominantly academic dissensions between scholars. The caveat mentioned above refers to the conflict within international law between internal and external self-determination (Hannum, 1992; Abdullah, 2006; Dulaney and Cusack, 1998; Knop, 2002), the conflict between these terms was built into the founding documents of the UN, and it outlines the difficulties of self-determination and its interactions with territorial integrity, non-intervention, and state sovereignty (Nanda, 1972; Abdullah, 2006; Weitz, 2015).

Tracing the intellectual genealogy of self-determination remains arduous and this contributes to the complexities intrinsic to the politics and history of human rights. Over the last 150 years the meaning of self-determination has transformed, coinciding with the history of International Relations (IR). Self-determination shares an interwoven history with human rights and has become a slogan for peoples, as well as making an appearance within every major human rights convention and declaration since the 1940s (Weitz, 2015; see United Nations, 1945 and 1966a). Lorca (2014) delineates the history that self-determination contains, denoting that the concept was principally used in world politics before making its way into international law before transforming as it stands today as a right.

The most notable change in the meaning of self-determination came in the post-World War I years in attempts to organise a new world order, the term shifted to a collectivist doctrine from a concept of individual emancipation (Weitz, 2015). The other salient change entails the destabilisation by the semi-peripheries of the civilised/uncivilised world. The semi-peripheries used self-determination to further their case for decolonisation and to dissolve the prerequisites for being qualified as a 'civilised' society, enabling the non-West to meet their own criteria of statehood.

However, this had adverse effects on the indigenous tribes and peoples of the world, leading to an increasing need for territorial integrity, and thus, an accelerated policy of assimilation of indigenous tribes (Lorca, 2014).

Self-determination encapsulates the notion of equality for all peoples, and encourages a discourse revolving around the solidarity of groups or communities to achieve this equality. The importance of the notion of peoples cannot be understated within self-determination as it indicates to whom this concept is applicable, and nevertheless, attempts to define peoples seldom elucidates the term (Hannum, 1992). Despite disagreements on whom this notion refers to, a great importance is placed in defining the term, some scholars such as Lapidoth (1996) unambiguously assert that the term refers only to people under classic colonial domination, which highlights the lack of a postcolonial lens within the discourse of self-determination.

Ofuatey-Kodjoe expounds peoples as "a self-conscious, politically coherent community that is currently under the political subjugation and domination of another community separate and distinct from itself" (1995, p375). This definition, coupled with UNESCO's (1998) common features of 'a people' outlined in article 22, defines clearly what unites individuals as a people and under what conditions they have legitimate claims for self-determination. These common features of 'a people' includes a common historical tradition, racial and ethnic identity, and a linguistic unity (UNESCO, 1998). The turmoil within self-determination is engendered by the same missing component as human rights, the absence of an arbiter to: determine who qualifies as a people; legitimise their claims for self-determination; and decide what they should get (Cunningham, 2014). The turmoil is furthered by academic dissensions surrounding the disaccord between Primary Right theories and Remedial Right Only theories of self-determination. The former stipulates that groups may unilaterally secede in the absence of past injustice, where the latter proposes that unilateral secession is only justified if harms have been caused by the encompassing state to the seceding group (Seymour, 2007).

Tibet, Postcolonialism, & International Law

There remains a severe lack of awareness around post-coloniality within discussions of self-determination, with many scholars only likening self-determination to the decolonisation era inaugurated by the UN post-World War II (Elias, 1983; Stilz, 2015). This creates a mirage that self-determination was once a functional concept and detaches it as a feasible solution to the issues within the TAR. Peoples are only thought of as those who were under the classical imperial rule, and it is only for these peoples that self-determination is guaranteed, this paper finds the aforementioned indicative of a lack of non-Western decision-making and discourse on neo-colonialism. Regrettably, peoples located in such places as the TAR are thus considered outside the colonial context and subject to confusion. The term 'peoples' is scantily discussed around who defines and constructs a people, which ultimately, lies with the powers at the UN, who act only with vested interests vis-à-vis non-self-governing territories. This negatively impacts Tibetans as the UN, - namely the P5+ 1 - excluding China, calculate that it would not be beneficial to them as a state to enter serious discussions around the PRC's occupation of the TAR.

The other factors working against Tibet and the utilitarian application of self-determination are the contradictions and ineffectiveness of international law. Humanitarian intervention is not possible due to non-intervention within international law (Abdullah, 2006), this allows states to commit atrocities without any repercussions. This problem represents the issue inherent within self-determination, that being the conflict between self-determination of peoples and the state, this constitutes the clash between internal and external self-determination. When external self-determination prevails, self-determination then becomes the problem, as it becomes a tool for authoritarian

states to continue their abuses of human rights without any interference (Cassese, 1995). Any interference or critique from outside states is met with the doctrine of 'no external interference', this is the case for the PRC's occupation of Tibet.

Human rights and self-determination act as two forces constantly pushing and pulling on each other within the realm of global politics. At the San José and Bangkok conferences on human rights, the relevant declarations stated in their preambles a need for a respect for pluralism, emphasising the principles of non-interference, self-determination of peoples and national sovereignty, allowing states to deal with their own internal affairs (Cerna, 1994). These statements utilise self-determination as a concept which allows for further human rights abuses to occur and allows states such as the PRC to continue abuses on human rights with no interference.

Tibetans hold a remedial right to self-determination, as they have been subject to moral harm by their encompassing state (Buchanan, 2003), this remedial right mirrors Tibetans right to external self-determination, as internal self-determination represents group rights and autonomy, and denial of this legitimises their right to secede through external self-determination (Knop, 2002). Through the lens of political liberalism Seymour (2007) outlines the possibility of an institutional conception of persons and peoples, allowing for a simpler definition of peoples to be given by introducing institutional features of people. Their institutional identity being given through a shared history, language, flag, different commemorations, celebrations and rituals, this allows for clearer judgements of national consciousness to take place.

Brilmayer (1991) instead favours a territorial approach for legitimising claims for self-determination, as secessionist claims involve disputed claims to territory. He argues that existing norms of international law focus solely on whether the aggravated group constitutes a distinct people, alienating territory from the debate. Territory and ethnicity work in tandem in these claims, pitting the principle of territorial integrity against the principle of self-determination, however, Brilmayer asserts that defining government in terms of land elucidates what secessionists are trying to accomplish. A territorial approach would legitimise the Tibetan claim to self-determination as the Tibetan plateau was under the control of the Tibetan empire from the seventh-Century when Tibet emerged as an entity after sending embassies to China in the years 608 and 609 (Beckwith, 1993).

Furthermore, groups possess a moral right to secede "as long as its political divorce will leave it and the remainder state in a position to perform the requisite political functions" (Wellman, 2005, p1). Losing control of Tibet would not harm the PRC greatly and Tibet have shown their political capabilities through the operations undertaken by the Tibetan government-in-exile.

The Cyclical Link

What Came First?

Tibet's future looked bright in the post-World War II era, after maintaining an independent policy of neutrality, this was followed by the Tibetan government embarking on a policy of unprecedented diplomatic activity and showed that Tibet was fully capable of effective statecraft. The statehood of Tibet could not be denied, it was a political entity fulfilling criteria of a defined territory, population, and a government possessing authority over that territory, qualifying Tibet as a state under international law (Walt van Praag, 1987). However, in 1950 troops of the People's Liberation Army (PLA) crossed into eastern Tibet with the mission to 2 'peacefully liberate' Tibet, freeing three million "Tibetans from imperialist oppression" (quoted in Sen, 1960, p65). However, China's motive for

the invasion was accountable to the extraction of Tibet's natural resources and so that the PRC could strategically militarise the border with India. The battle lasted just over two weeks, killing 4,000 Tibetan army officers and men, and consequently, Tibet was incorporated into the PRC.

It was then in 1950 that the Tibet's self-determination was stripped away from them, since the invasion they have not been able to choose their own destiny, whether it be their environment, economy, political system, or culture. Since Tibet has fallen under the administration of the PRC it has not acted as a legitimate government, furthering the entitlement of Tibetan's right to exercise self-determination.

The PRC imposed, by force, their governance over the Tibetans and has continued to systematically abuse their human rights through torture, arbitrary executions and arrest, involuntary disappearances, discrimination, destruction of the environment, repression of religion, birth control policies, and population transfer. The varied abuses that Tibetans face every day at the hands of the PRC dictate that they are not a legitimate government and have no claim of territorial integrity to assert against the Tibetan's right of self-determination. The invasion stripped Tibetans of their self-determination and the human rights abuses quickly followed.

The Evolution of the Link

Human rights abuse and self-determination within Tibet are contained within a cyclical relationship. This relationship is characterised by the Tibetan's right to self-determination ultimately leading to and aggravating human rights abuses within the TAR. The PRC has not acted as a legitimate government as discussed above, and this permits Tibetans to exercise their right to self-determination, which ultimately aggravates the state. As asserted in the first section, when Tibetans exercise their right to self-determination the PRC declares these actions as 'a threat to communism' or 'undermining social stability' and systematically start to arrest and torture those involved. This strengthens Tibetan's claim to self-determination and the cycle starts again. This cycle has been in existence from when the PRC invaded Tibet and stole away their self-determination, the cycle has been ferociously worsening, with two key events being around the 1959 Tibetan uprising and the 2008 Tibetan unrest and its aftermath.

The 1959 Tibetan uprising started on 10th March and displayed anti-Chinese and anti-Communist sentiments in Lhasa, the capital of Tibet. The revolt escalated into a full-scale rebellion, nevertheless, after ten days of the PLA following defensive orders from Beijing, on 20th March the army were ordered to crush the rebellion (Jian, 2006). On 28th March Zhou Enlai, the premier of the PRC formally dissolved the Kashag, transferring greater political power in Tibet to the PRC. Coupled with the 14th Dalai Lama and his followers fleeing to take refuge in northern India, the 1959 Tibetan uprising had significantly changed the Tibet issue. The uprisings represented Tibetans displaying their right to self-determination after nine years of illegitimate rule by the PRC, and the response to this exercise of self-determination was met with further abuses of human rights. Pu Quiong stated that there were 1,600 'living Buddhas' and 114,000 monks residing in 2,700 monasteries and temples in 1959 before the rebellion, which by 1966 was decimated to just 6,900 monks in 550 monasteries through 'democratic reforms' (Tenpel, 2013). The 'democratic reforms' greatly altered Tibetan society as the monasteries that were not destroyed were under scrupulous surveillance in their day to day functioning. Articles 2, 5, 9, and 18 of the UDHR were broken by the PRC in reaction to the rebellion, as Tibetans - due to the territory they belong - were subjected to cultural genocide through loss of religion, arbitrary arrest, and torture. The 1959 uprising evidences the claim that exercises of legitimate self-determination in Tibet aggravates human rights abuses, and thus, increases the urgency and legitimacy of Tibet's claim to self-determination.

The 2008 Tibetan unrest was a series of demonstrations in remembrance of the 1959 Tibetan uprising, which escalated into protests and eventually riots. The same year Beijing was due to host the Olympics, but news of the Chinese security force's response sparked a wave of worldwide protests to boycott the Olympics. The reaction from the security forces involved beating protesters and firing live ammunition into crowds to disperse them. A spokesman for the Tibetan government-in-exile reported from reliable sources inside Tibet that 80 people were killed during the demonstrations in Lhasa (BBC, 2018), many were shot dead by police.

The Tibetan government-in-exile maintained that 203 Tibetans were killed in the crackdown that occurred after the riots (Human Rights Watch, 2008). The crackdown also involved the PRC sealing Tibet off from foreigners, including journalists. The PRC also limited coverage on the riots on China's state media and incorporated censorship of CNN and BBC reports and internet access was blocked to websites such as YouTube, Yahoo, and Google. Further crackdowns involved a 12-day blockade on major monasteries in Lhasa, depriving monks of food and water which resulted in one monk dying of starvation (Asia-Pacific News, 2008) and four state executions were reported by a Tibetan exile group for roles in the riots that convulsed the TAR (Jacobs, 2009). Lastly, more than 1,000 people detained for taking part in the riots remain unaccounted for 5 (Amnesty International, 2009).

The aftermath of the 2008 unrest has led to Tibetans taking part in self-immolation protests in which Tibetans set themselves on fire to protest the Chinese occupation and to draw media attention on Tibet. Since February 2009, 153 Tibetans have self-immolated in Tibet and China in protest against the occupation, with many suspected of involvement or witnessing the event, suffering harsh sentences or torture by the PRC (International Campaign for Tibet, 2018). At the time of writing the latest life to be claimed in these protests was a Tibetan man named Tsekho who self-immolated in eastern Tibet on the 7th March 2018 (Free Tibet, 2018b).

The 2008 unrest parallels the 1959 uprising, Tibetans exercised their right to self-determination, and this resulted in an intensification of human rights abuses. The human rights abuse breached articles 5, 9, 10, and 19 of the UDHR. These articles cover, torture, arbitrary arrest, fair trial, and freedom of opinion and expression including the right to receive and impart information and ideas (United Nations, 1948). The unrest came at an opportune time for Tibetans, as the world had their eyes fixated on

China due to the Olympics, this caused the PRC to diversify and intensify their abuses on the human rights of Tibetans. The cyclical link again in 2008 altered the case of Tibet, as human rights abuses increased so too did the legitimacy of Tibetan's claim to self-determination, resulting in severe internet and media censorship for those within the TAR, this censorship has resulted in Tibetans being captured and tortured for simply sending emails abroad (Free Tibet, 2018c).

The Foundation & Future of the Link

The foundation of the link between self-determination and human rights abuses lays within the inherent contradictions of international law vis-à-vis self-determination. Self-determination remains to be an imprecise international law due to the implications caused by the diversity of its claims. This causes contention between international lawyers as to who has the right to secede and whether self-determination is a rule or a principle of international law, or both (Buchanan, 2003). This allows for the doctrine of self-determination to be overridden by the exclusivity of the state in the realm of international law, by asserting limitations on claims for self-determination through territorial integrity, and ultimately at the expense of peoples belonging to that territory. There is recognition of

self-determination as a human right but not an absolute human right, resulting in any human rights approach to self-determination falling back into international law (McCorquodale, 1994). Self-determination remains to be a right of peoples, with strict limits on its application due to the exclusivity of the state. This combined with the limited existing norms of minority rights leaves minority peoples defenceless against assimilation or forced integration (Thornberry, 1989), allowing for cultural genocide to take place, as is the case for Tibetans.

How can this link be broken? Self-determination is a concept used by peoples who suffer human rights abuses, and in the case of Tibet, it is clear that claims for self-determination are aggravating the abuses. This paper finds that there are two solutions, the first is a Remedial Right Only theory approach, and secondly accommodating secessionist entities by granting internal autonomy.

The Remedial Right Only theory relies on challenging the existing norms and practices of human rights and international law. Thornberry (1989) advocates that self-determination would be more productive if it were to start from the rules of basic human rights, however, as discussed in the first section the implementation of human rights remains solely at the national level, leaving peoples of a stateless nation like Tibet defenceless against their oppressors. International law would also have to change its current practices and implement the unilateral right to secede effectively. It would have to recognise a remedial right to secede for peoples as a last resort response to serious injustices (Buchanan, 2003).

Since the termination of the Cold-War, a veritable wave of self-determination settlements have been made, the most popular settlement involves trading the claim to secession for internal autonomy in order to safeguard the territorial integrity of the encompassing state 6 (Weller, 2009). There has been slight progress in this approach, seen in the 1990s through an initiative that was launched by the UN General Assembly by the government of Liechtenstein (Danspeckgruber and Watts, 1997), the implementation of this initiative was to allow secessionist entities to accomplish their aims through self-governance without seceding from the existing state (Bernhardt, 1981). Interpreting the right within the context of current state practice and international standards could allow for the development of self-determination, in contrast, self-determination is only operated through restrictive territorial approaches, which limit the right to secession (McCorquodale, 1994).

International law must devise a coherent legal framework to promote peaceful settlements for claims of self-determination. To do this the international legal order must encourage alternatives to secession for legitimate claims of self-determination and create a greater relationship between existing international human rights norms prohibiting ethnonational and religious discrimination by supporting intrastate autonomy (Buchanan, 2003). The demands of self-determination must overcome territorial integrity and the non-interventionist stance of the UN when violence is perpetrated to deprive peoples of political, economic, social and cultural rights. Instead, as the case of Tibet shows, 'territorial integrity' and 'non-intervention' are used as ploys for the state to execute political subjugation (Nanda, 1972).

Conclusion

This paper has postulated a correlative link between exercises of self-determination and human rights abuse through an analysis of key events that have taken place in Tibet under the occupation of the PRC. Through developing the theory of this cyclical link questions have been asked and answered to what human rights and self-determination mean and to whom they apply.

The first section discussed issues within the discourse of human rights, arguing against claims that human rights are fundamentally an ideological patrimony of Western civilisation. The subsequent section presented the multifarious vexed questions that occur from the concept of self-determination, answering what it means and to whom it applies. The culminating section explored and evidenced the causal link between self-determination and increasing human rights abuses in the case of Tibet. It did so through an examination of contemporary human rights abuse that permeated throughout Tibet and reaffirming the ways in which self-determination is used to perpetuate further human rights abuse by states citing the mantra of 'territorial integrity' and 'non-intervention'. The events of the 1959 Tibetan uprising and the 2008 Tibetan unrest were scrutinised and served as the primary case studies to validate the argument of this paper, that exercises of self-determination has led to an increased variation and viciousness of human rights abuse in Tibet.

The scope of this paper did not allow for additional research and writing on why Tibet suffers from Western isolationism, however, further research on this topic and new recommended approaches would greatly benefit the discourse around Tibet. Nonetheless, this paper serves as a starting point to examine more closely the relationship between self-determination and human rights abuse within Tibet. Furthermore, it suggests approaches to tackle the escalating human rights abuse in Tibet and recommends a mutually beneficial settlement for the claims of self-determination by the peoples of Tibet.

References

Abdullah, M. (2006). 'The Right to Self-Determination in International Law'.

Master Thesis, University of Gothenburg, Gothenburg. Amnesty International. (2009).

Unrest in Tibet continues as human rights violations escalate. Amnesty International. Available from https://www.amnesty.org/en/latest/news/2009/03/unrest-tibet-continues-human-rights-violations-escalate-20090310/ [Accessed 14 March 2018].

Anaya, J.S. (1996). Indigenous Peoples in International Law. New York: Oxford University Press.

Asia-Pacific News. (2008). China tightens monastery blockade,monk dies of starvation (1st Lead). Internet Archive. Available from https://web.archive.orgweb/20080403070244/http://news.monstersandcritics.comasiapacific/news/article_1396916.php/China_tightens_ monastery_blockade_monk_dies_of_starvation__1st_Lead_ [Accessed 14 March 2018].

Bay, C. (1982). 'Self-Respect as a Human Right: Thoughts on the Dialectics of Wants and Needs in the Struggle for Human Community'. Human Rights Quarterly, 4 (1), 53-75.

BBC. (2008). 'Eighty Killed' in Tibetan Unrest. BBC. Available from http://news.bbc.co.uk/1/hi/world/asia-pacific/7299212.stm [Accessed 13 March 2018].

Beckwith, C.I. (1993). The Tibetan Empire in Central Asia: A History of the Struggle for Great Power Among Tibetans, Turks, Arabs and Chinese During the Early Middle Ages. Princeton: Princeton University Press.

Bellamy, A.J. (2005).'Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq'. Ethics & International Affairs, 19 (2), 31-54.

Berman, N. (1988). 'Sovereignty in Abeyance: Self-Determination and International Law'. Wisconsin International Law Journal , 7, 51-106.

Bernhardt, R. (1981). 'Federalism and Autonomy'. In Dinstein, Y. (Ed.) Models of Autonomy. New Jersey: Transaction Publishers, 23-28.

Bragg, J. (2013). 'A Diminishing Tibetan State'. Fair Observer. Available from https://www.fairobserver.com/region/asia_pacific/diminishing-tibetan- state/ [Accessed April 14 2018].

Brems, E. (2001). Human Rights: Universality and Diversity. The Hague: Kluwer Law International.

Brilmayer, J. (1991). 'Secession and Self-Determination: A Territorial Interpretation'. Faculty Scholarship Series, paper 2434, 177-202

Brinham, N. (2012). 'The conveniently forgotten human rights of the Rohingya'.

Forced Migration Review , 41, 40-41.

Brown, C. (1999). Universal Human Rights: A Critique. In Dunne, T. and Wheeler, N.J. (eds.) Human Rights in Global Politics. Cambridge: Cambridge University Press.

Buchanan, A. (1994). 'Liberalism and Group Rights'. In: Coleman, J. (ed.) Harm's Way. Essays in Honour of Joel Feinberg. Cambridge: Cambridge University Press, 1–15.

Buchanan, A. (2003). Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law. Oxford: Oxford University Press.

Cassese, A. (1995). Self-Determination of Peoples: A Legal Reappraisal. Cambridge: Cambridge University Press.

Cerna, C.M. (1994). 'Universality of Human Rights and Cultural Diversity: Implementation of Human Rights in Different Socio-Cultural Contexts'. Human Rights Quarterly, 16, 740-752.

Crawford, J. (1996). 'The General Assembly, the International Court and self

determination'. In Lowe, V. and Fitzmaurice, M. (eds.), Fifty Years of the International Court of Justice: Essays in Honour of Sir Robert Jennings . Cambridge, Cambridge University Press, 585–605.

Crawford, J. (2001) 'The Right of Self-Determination in International Law: Its Development and Future'. In Alston, P. (ed.) Peoples' Rights. Oxford: Oxford University Press, 7-67.

Crescenzi, A. et al. (2002). 'Effect of political imprisonment and trauma history on recent Tibetan refugees in India'. Journal of Traumatic Stress, 15 (5), 369–375.

Cunningham, K.G. (2014). Inside the politics of self-determination. Oxford:Oxford University Press.

Danspeckgruber, W.F. and Watts, A. (1997). Self-Determination and Self-Administration: A Sourcebook. Colorado: Lynne Rienner Publishers.

Donnelly, J. (1985). The Concept of Human Rights. New York: St Martin's Press. Donnelly, J. (2007). 'The Relative Universality of Human Rights'. Human Rights Quarterly, 29 (2), 281-306.

Donnelly, J. (2013). Universal Human Rights: In Theory and Practice, 3 rd ed. Ithaca: Cornell University Press.

Dorje, Y. (2014). ' Another Tibetan Reportedly Close to Death from Chinese Police Beating'. VOA News. Available from https://www.voanews.com/a/ another-tibetan-reportedly-close-to-death/2446903.html [Accessed 14 April 2014].

Dulaney, A.G. and Cusack, D.M. (1998). The Case Concerning Tibet: Tibet's Sovereignty and the Tibetan People's Right to Self-Determination.

Dworkin, R. (1977). Taking Rights Seriously. Cambridge: Harvard University Press.

Elias, T.O. (1983). The era of decolonization. In: The International Court of Justice and some contemporary problems .

Dordrecht: Springer. Etzioni, A. (1992). 'The Evils of Self-Determination'. Foreign Policy , (89), 21-35.

Feinberg, J. (1980). Rights, Justice, and the Bounds of Liberty: Essays in Social Philosophy. Princeton: Princeton University Press.

Franck, T. (1998). Fairness to 'Peoples' and their Right to Self-Determination. In Fairness in International Law and Institutions . Oxford: Oxford University Press.

Free Tibet. (2018a). Torture in Tibet. Free Tibet. Available from https://freetibet.org/torture-tibet [Accessed 20 February 2018].

Free Tibet. (2018b). First Tibet Self-Immolation in 2018; Comes Ahead of Key Anniversaries. Available from https://www.freetibet.org/news-media/pr/first-tibet-self-immolation-2018-comes-ahead-key-anniversaries [Accessed 14 April 2018].

Free Tibet. (2018c). Introduction to Tibet. Free Tibet. Available from https://freetibet.org/about [Accessed 12 March 2018].

Freeman, M. (1994).The Philosophical Foundations of Human Rights. Human Rights Quarterly, 16 (3), 491-514.

Glendon, M.A. (2003). The Forgotten Crucible: The Latin American Influence on The Universal Declaration of Human Rights Idea. Harvard Human Rights Journal, 16, 27-39.

Gong, G.W. (1984). The Standard of 'Civilization' in International Society. Oxford: Oxford University Press.

Green, R.H. (1981). Basic Human Rights/Needs: Some Problems of Categorical Translation and Unification. Review of the International Commision of Jurists, 27, 53-58.

Halperin, M.H., Scheffer, D.J. and Small, P.L. (1992). Self-Determination in the New World Order. Washington D.C.: Brookings Institution.

Hanna, R.M. (1999). Right to Self-Determination in In Re Secession of Quebec. Maryland Journal of International Law and Trade, 23 (1), 213-246.

Hannum, H. (1992). Autonomy, Sovereignty, and Self-Determination, 2nd ed. Philadelphia: University of Pennsylvania Press.

Harris, N.S. et al. (2001). Nutritional and Health Status of Tibetan Children Living at High Altitudes. The New England Journal of Medicine, 344 (5), 341-347.

Herzer, E. and Levin, S.B. (1995). ' China's Denial of Tibetan Women's Right to Reproductive Freedom'. Tibet Justice Centre. Available from http://www.tibetjustice.org/reports/women/chinas_denial.pdf [Accessed April 15 2018].

Human Rights Watch. (2008). China's Forbidden Zones. Human Rights Watch.Available from https://www.hrw.org/report/2008/07/06/chinas-forbidden- zones/shutting-media-out-tibet-and-other-sensitive-stories [Accessed 15 March 2018].

International Campaign for Tibet. (2018). ' Self-immolations by Tibetans'. International Campaign for Tibet. Available from https://www.savetibet. org/resources/fact-sheets/self-immolations-by-tibetans/ [Accessed 15 February 2018].

International Committee of Lawyers for Tibet. (2014). A Generation in Peril. Tibet Justice Centre. Available from http://tibetjustice.org/reports/ children/index.html [Accessed 20 November 2017].

Jacobs, A. (2009). Group Says China Has Executed 4 for Roles in Tibet Riots.The New York Times. Available from https://www.nytimes.com/2009/10/ 24/world/asia/24china.html [Accessed 15 March 2018].

Jian, C. (2006). 'The Tibetan Rebellion of 1959 and China's Changing Relations with India and the Soviet Union'. Journal of Cold War Studies, 8 (3), 54-101.

Kelly, J. (2008). Burning debate over relay boycott. BBC. Available from http://news.bbc.co.uk/1/hi/uk/7330295.stm [Accessed 13 March 2018].

Kelly, M.J. (1999). 'Political Downsizing: The Re-Emergence of Self-Determination, and the Movement Toward Smaller, Ethnically Homogeneous States'. Drake Law Review, (47), 209-278.

Klein, R. (2011). An Analysis of China's Human Rights Policies in Tibet: China's

Compliance with the Mandates of International Law regarding Civil and Political Rights . ILSA Journal of International & Comparative Law. 18 (1), 115-165.

Knop, K. (2002). Diversity and Self-Determination in International Law. Cambridge: Cambridge University Press.

Lapidoth, R. (1996). Autonomy: Flexible Solutions to Ethnic Conflicts. Washington DC, United States Institute of Peace Press.

Lorca, A.B. (2014). 'Petitioning the International: A 'Pre-history' of Self-determination'. The European Journal of International Law, 25 (2), 497-523.

Luard, E. (1988). Conflict and Peace in the Modern International System a Study of the Principles of International Order, 2nd ed . Albany, NY: SUNY Press.

Manela, E. (2009). The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism. Oxford: Oxford University Press.

Maslow, A. (1970). Motivation and Personality. New York: Harper and Row.

Maslow, A. (1971). The Farther Reaches of Human Nature. New York: Viking Press.

McCorquodale, R. (1994). 'Self-Determination: A Human Rights Approach'. International and Comparative Law Quarterly, 43, 857-885.

McHale, J. and McHale, M.C. (1979). Meeting Basic Human Needs. Annals, 442. Michael, F. (1987). 'Foreword'. In Walt van Praag, M. C. The Status of Tibet: History, Rights, and Prospects in International Law . London: Wisdom, xiii-xv.

Nanda, V.P. (1972). 'Self-Determination in International Law: The Tragic Tale of

Two Cities--Islamabad (West Pakistan) and Dacca (East Pakistan)'. The American Journal of International Law, 66 (2), 321-336.

Norbu, D. (2001). China's Tibet Policy. Surrey: Curzon Media.

Nickel, J.W. (2006). Making Sense of Human Rights, 2nd ed. London: Blackwell.

Nussbaum, M.C. (2000). Aristotle, Politics and Human Capabilities: A Response to Antony, Arneson, Charlesworth, and Mulgan. Ethics, 111 (1), 102-140.

Ofuatey-Kodjoe, W. (1995), 'Self-Determination'. United Nations Legal Order, vol. I, 349–389.

Otto, D. (1997). 'Rethinking the Universality of Human Rights Law'. Columbia Human Rights Law Review, 29 (1), 1-46.

Philpott, D. (1995). 'In Defense of self-determination'. Ethics, 105 (2), 352-385.

Pollis, A. and Schwab, P. (1980). Human rights : cultural and ideological perspectives. London: Praeger.

Proclamation of Tehran, Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968, U.N. Doc. A/CONF. 32/41 at 3 (1968).

Rinpoche, S. (1996). Tibet: A Future Vision. New Delhi: Tibetan Parliamentary and Policy

Research Centre. Samdup, T. (2008). 'Torture in Tibet'. The Guardian. Available from https:// www.theguardian.com/world/2008/jul/09/tibet-torture [Accessed 16 April 2018].

Sen, A. (2005). Human Rights and Capabilities. Journal of Human Development, 6 (2), 151-166.

Sen, C. (1960). Tibet Disappears. Mumbai: Asia Publishing House.

Seymour, M. (2007). Secession as a Remedial Right. Inquiry, , 50 (4), 395-423.

Singh, S. (2004). Tears from the land of snow: health and human rights in Tibet. The Lancet, 364 (9438), 1009.

Stilz, A. (2015). Decolonization and Self-Determination. Social Philosophy and Policy, 32 (1), 1-24.

Sumner, L.W. (1987). The Moral Foundation of Rights . Oxford: Oxford University Press.

Tapper, J. (2014). 'Torture is the new normal in Tibet'. Salon. Available from

https://www.salon.com/2014/10/04/torture_is_the_new_normal_in_tibet_ partner/ [Accessed 15 April 2018].

Tashi. (2014). 'Golog Jigme Speaks About His Arrest and Escape from Chinese Prison'. Tibet. Available from http://tibet.net/2014/05/golog-jigme-speaks-about-his-arrest-and-escape-from-chinese-prison/ [Accessed 14 April 2018].

TCHRD (2017). Tibetan man bedridden for years due to torture injuries while Chinese authorities refuse school admission to his daughter. TCHRD. Available from http://tchrd.org/tibetan-man-bedridden-for-years-due-to- Torture-injuries-while-chinese-authorities-refuse-school-admission-to-his- daughter/ [Accessed 20 November 2017].

Tenpel. (2001). 'When Were the Monasteries Destroyed in Tibet?'. Difficult. Available from https://buddhism-controversy-blog.com/2013/04/21/when- were-the-monasteries-destroyed-in-tibet/ [Accessed 1 March 2018].

Tharoor, S. (1990). 'The Universality of Human Rights and Their Relevance to Developing Countries'. Nordic Journal of International Law, 59 (1), 139-152.

Thornberry, P. (1989). 'Self-Determination, Minorities, Human Rights: A Review of International Instruments'. International and Comparative Law Quarterly, 38 (4), 867-889.

Thürer, D. and Burri, T. (2008). Self-Determination. From Oxford Public International Law.

UNESCO. (1989). International Meeting of Experts on further study of the concept of the rights of peoples.

United Nations. (1945). Charter of the United Nations.

United Nations. (1948). Universal Declaration of Human Rights.

United Nations. (1966a). International Covenant on Civil and Political Rights.

United Nations. (1966b). International Covenant on Economic, Social and Cultural Rights.

United Nations. (1987). Declaration on the Enhancement of the Effectiveness of The Principle of Refraining from the Threat or Use of Force in International Relations.

Universal Negro Improvement Association (UNIA). (1983), 'Petition of the Universal Negro Improvement Association League to the League of Nations'. The Marcus Garvey and Universal Negro Improvement Association Papers, 735–740.

Van Dyke, V. (1970). Human Rights, the United States, and World Community. Oxford: Oxford University Press.

Vizard, P. (2007). Specifying and Justifying a Basic Capability Set: Should the International Human Rights Framework Be Given a More Direct Role? Oxford Development Studies, 35 (3), 225-250.

Walt van Praag, M. C. (1987). The Status of Tibet: History, Rights, and Prospects In International Law . London: Wisdom.

Waltz, S. (2001). Universalizing Human Rights: The Role of Small States in the Construction of the Universal Declaration of Human Rights. Human Rights Quarterly, 23 (1), 44-72.

Weitz, E.D. (2015). 'Self-Determination: How a German Enlightenment Idea Became the Slogan of National Liberation and a Human Right'. The American Historical Review, 120 (2), 462-496.

Weller, M. (2009). 'Settling Self-Determination Conflicts: Recent Developments'. The European Journal of International Law, 20 (1), 111-165.

Wellman, C.H. (2005). A Theory of Secession: The Case for Political self-determination . Cambridge: Cambridge University Press.

Wilson, R.A. (2005). Human Rights in the 'War on Terror'. New York, NY: Cambridge University Press.

10

ASSESSING THE IMPACT OF THE POST-COMMUNIST TRANSITION AND EU INTEGRATION ON ANTI-HUMAN TRAFFICKING WORK IN ROMANIA

Victoria Vall

Introduction

An estimated 40 million people were victims of human trafficking and modern slavery in 2016: it is one of the largest human rights abuses of the 21st century (US Department of State, 2017). This research focuses on human trafficking in Romania as one of the main sources, destinations and transit countries for trafficked people within Europe (US Department of State, 2017). The aim of this research is to contribute to the wider body of anti-trafficking literature by tracing the obstacles to effective anti-human trafficking work in Romania and to assess the impact of the post-communist transition and EU integration. The objectives of this research are to answer the following three questions:

1. Is the prevalence of human trafficking in Romania related to the post-communist transition and how?
2. Has integration into the European Union benefited anti-human trafficking work?
3. What could be done at an international and state level as the next steps towards reducing human trafficking in Romania?

In the first section, I will assess the impact of the problematic post-communist transition on the advancement of human trafficking in and through the country, finding that corruption and distrust are two core issues that can be traced back to the communist era and are impacting the growth in human trafficking in the country today. Section two will assess the impact of EU accession on human trafficking prevention in Romania, arguing that even in the light of public distrust and corruption, the EU has brought about positive legal and institutional reform in the country. Furthermore, the EU has strengthened Romanian civil society and has provided resources for non-governmental organisations (NGOs) working to combat human trafficking. In the third and last section, I will propose policies that further address the two core issues, corruption and distrust, while acknowledging the important role of the EU.

Tracing obstacles to effective anti-human trafficking work in Romania

The problematic post-communist transition

Between the years 1947 and 1989, Romania was a communist regime following the Stalinist model. Human rights and the rule of law were disregarded, private property was demonised, and the secret police infiltrated the entire society and ensured that the totalitarian regime remained in absolute control (Stan and Tismaneanu, 2015). Nicolae Ceausescu, the president from year 1974 to 1989, was especially brutal and corrupt in his leadership of the country: he enforced strict rations, making it difficult for the Romanian people to access adequate food and heating (Verdery, 2015). Furthermore, Ceausescu used the police force to maintain the system, protect its functioning and

exercise absolute control, leading the Romanian people into constant fear and anxiety (Andreescu and Keeling, 2011). While the Romanian people suffered under his strict policies, Ceausescu and his family inhabited a massive palace in Romania's capital (Verdery, 2015).

However, Ceausescu's attempt to retain absolute control and create a paradise on earth for himself and his family came to an abrupt end. Massive demonstrations began at the end of year 1989 and following a two-day revolution, Nicolae and his wife Elena Ceausescu were assassinated (Verdery, 2015). This incident marked the beginning of the post-communist transition that to this day remains unfinished and has evolved into widespread social distrust and continuation of corruption.

Ion Iliescu, a former member of Ceausescu's communist party, was elected the first post-communist president but he made little effort to reform the country and avoided dealing with the crimes committed during the communist era (Cinpoes, 2015). This was a state of denial rather than dialogue and grieving, which negatively influenced the collective memory of the Romanian people (Stan and Tismaneanu, 2015). According to Schwartz (1988), collective memory refers to the way that the people understand the present based on a collective understanding of their historical context: 'Collective memory thus appears as a model of the present: a reflection of collective needs, fears, and aspirations' (p.2). An example of this can be drawn from the widespread distrust in state-controlled civil organisations that were developed during the communist era. Romanians were forced by the communist party to participate in these organisations and at the same time socialised into distrusting them (Zakaria, 2013). As a result, the Romanian people remain sceptical of civil society organisations (Toma, 2015). Another example is the lack of trust in state institutions and especially in the security sector, such as the police (Mishler and Rose, 1996; Andreescu and Keeling, 2011). This could be a result of the strictly constraining police that controlled the nation during communism and the extreme corruption of state institutions. A nation cannot overcome issues of this scale unless they are brought to light and thoroughly dealt with, something that Iliescu avoided (Hogea, 2010).

As demonstrated, Iliescu did not bring about a transparent holistic transformation, but he did initiate certain reforms, including the privatisation of capital such as land and industries. However, no legislation was enforced to regulate the process before the reforms occurred, meaning leaving it open to widespread corruption (Gross, 2015). Most of the ownership was taken by entrepreneurs who previously belonged to the political elite or worked as industry managers rather than being moved to the workers (Gallagher, 2009). Moreover, the media remains, to some extent, under the control of elites, and thus does not function as a check on the state or as a platform for investigative journalism. Instead, the media is predominantly used as a tool for propaganda (Gross, 2015).

The police force also began a process of de-politicisation in the early days of the post-communist transition (Andreescu and Keeling, 2011). During Ceausescu's years as president, all police officers had to be members of the communist party, with their main task to maintain the communist regime. As a result, crime prevention and other principal tasks of routine policing were not given priority in communist Romania (Koszeg, 2001). Unfortunately, the reform and de-politicisation of the police also suffered from widespread corruption. As with the privatisation of industries, most leadership positions were given to men with close relations to the political elite (Abraham, 2001). However, more successful reforms of the police force have taken place in the last few years due to increasing pressure from the European Commission (Andreescu and Keeling 2011). But due to the problematic transition and collective memory of the oppressive character of the politicised communist police force; public distrust in the police remains a core issue in the country (Andreescu and Keeling, 2011). The level of trust in the police in Romania is substantially lower than in all other European countries (Andreescu and Keeling 2011).

Transparency International has recently ranked Romania as one of the most corrupt states in Europe (Transparency International, 2017). Research indicates that citizen participation in political elections is declining, as is the public trust in political institutions (Cinpoes, 2015). Furthermore, many Romanians are discontent and fail to trust in the public institutions due to lack of accountability and transparency (Andreescu and Keeling 2011).

Dirty entanglement: human trafficking, corruption and distrust

Evidently, corruption and distrust are significant issues in Romania and both issues can be traced back to the problematic post-communist transition. This section will seek to demonstrate how corruption and distrust are enabling human trafficking and hindering effective work to combat the issue. For the purposes of this research, human trafficking is defined by the United Nations (2000). This is the most widely accepted definition and I have included it below for reference.

> "Trafficking in persons refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;" (OHCHR, 2000, Article 3:a).

At the beginning of the post-communist transition, around year 1990, human trafficking began to flourish in and throughout Eastern Europe. Restrictions on movement were removed and underground criminal organisations were able to traffic victims across borders to places where they could gain higher profit (Shelley, 2010). In year 2010, 1154 victims of human trafficking with a Romanian nationality were identified in countries across Europe (European Commission, 2011). Most of the victims were trafficked for the purposes of labour and sexual exploitation but some were forced into begging and committing theft (European Commission, 2011). This number includes only the victims who were identified, whereas the actual number of victims of human trafficking from Romania is presumably much higher (8.7 Alliance, 2017).

According to a comprehensive qualitative data assessment conducted by Bales (2007), governmental corruption is the main factor enabling human trafficking in source countries. The Centre for the Study of Democracy (CSD), have also found that corruption remains a massive issue within the Romanian police. In contrast to countries such as France, Sweden and Germany, where individual cases of corruption occur, in Romania, Bulgaria and Greece, corrupt officials operate undisturbed due to the culture of corruption within the organisation (CSD, 2010). They argue that officials aggressively seek exploitable situations, using the cover offered by the group. However, this cannot be applied to the entire Romanian police force but only certain local police institutions (CSD, 2010).

In the year 2016, two Romanian public officials were given prison sentences for their involvement in human trafficking-related crimes. One was a police officer who repeatedly trafficked minors and established a criminal enterprise while the second was a judge who blackmailed and received services from a trafficked person (US Department of state, 2017). However, this is the exception rather than the rule. Due to the low numbers of convictions and the prevalence of both corruption and human trafficking, further successful investigations into institutional corruption and trafficking-related crimes have the potential to make a significant difference (Council

of Europe, 2012). Corrupt officials tend to overlook warning signs, protect traffickers, refraining from registering trafficking complaints, provide safe environments for traffickers, obstruct investigations and prosecutions, reduce punishments and facilitate re-trafficking (BAR, 2016, p.29). When officials facilitate impunity, national and international efforts are rendered impotent in their ability to obstruct the detection, investigation, prosecution and punishment of traffickers.

The lack of trust in political institutions due to the collective memory of communism has caused the Romanian people to engage in close networks of friendships and family rather than large public organisations (Toma, 2015). Alongside economic recession and a lack of opportunity, this is a potential factor causing the development of deviant organisations. Several organisations devoted to trafficking of human beings are operated by families, relatives and close friends (Topping, 2017; Daily Mail, 2018). In a society where the collective memory constantly reminds its citizens of the hopeless and corrupt character of the state, any opportunity to experience economic development and belonging might seem attractive. This is not to justify the actions of traffickers but rather to aid understanding of how trafficking is linked to distrust and the negative effects of a non-vibrant civil society.

While Romania was liberated from the grip of communism in year 1989 but the post-communist transition has been highly problematic due to the first post-communist president, Ion Iliescu's unwillingness or inability to address communist crimes and prevent corruption. The transition brought about increasing inequality and the formation of a new elite that control much of the economic assets, the media and the police (Gross, 2015; Gallagher, 2009; Andreescu and Keeling, 2011). A collective memory of distrust in both public officials and institutions, as well as fellow Romanians, is a direct result of his policies and has caused a highly unfavourable climate in which corruption is flourishing. Both corruption and distrust are fostering the prevalence of human trafficking in Romania and makes it difficult to combat it.

The impact of EU integration on anti-human trafficking work and legislation. EU law enforcement and Romanian implementation.

According to Rawls (1999) international institutions, such as the EU, are expected to have a positive impact on societies as they are being included in the liberal project. With the liberal project, I refer to the core values of the EU: human dignity, freedom, democracy, human rights, equality and the rule of law (EU, 2018). It is these values which Rawls assume will impact and change countries such as Romania as they are being integrated into the institutions. This section assesses the case of Romanian integration in the EU, asking whether it has fostered the positive impact assumed by Rawls. And more precisely, has European integration positively impacted Romanian anti-trafficking work?

As of 2007, Romania is a member state of the EU and is obligated to concede to EU legislation (Gallagher, 2009). Trafficking of human beings is an illegal activity according to article 5 of the Charter of Fundamental Rights of the European Union (EU, 2000). Furthermore, in year 2011, the EU implementing a directive concerned with the prevention and combating of human trafficking with an increased attention towards the protection of victims (EU, 2011). The impact of this convention, known as the "Council of Europe Convention on Action against Trafficking in Human Beings by the Parties", and the policies it put forward, will be discussed and assessed in this section. In article 8, the EU clearly emphasises the importance of state authorities to not impose penalties on victims who have been forced to conduct criminal activities such as illegal immigration, prostitution or use of false documents. This

critical point stresses that victims of trafficking are not criminals and must be treated accordingly. Therefore, victims should be provided assistance and support before, during and after the conclusion of criminal proceedings and never incur penalties for actions conducted under force. The aim of this policy is to protect the victims' human rights and ensure they do not have to suffer further victimisation but are encouraged to witness in criminal proceedings against the traffickers (EU, 2011). Romania has a history of a strong state security apparatus and neglect of human rights, as described in the first section. States that focus on security rather than human rights tend to enforce strict border and migration controls to combat human trafficking (Karlsson, 2013). As a result, there is a high risk of victims being treated as illegal immigrants or as illegal prostitutes rather than victims of a crime (Karlsson, 2013). The focus on victims as in need of support and exempt from criminal proceedings has been a key factor in enhancing Romanian legislation and trafficking prevention, albeit under the watchful eye of the EU.

Following EU pressure, Romania created a National Agency against Trafficking in Persons (ANITP), which is currently implementing a project called "Trafficking in human beings - a victim centred approach" (Council of Europe, 2017). The main objective of the project is to improve and strengthen the national referral mechanism, which is the framework for identifying victims of human trafficking and to ensure that they are given adequate support (Council of Europe, 2017). To achieve that objective, ANITP has scheduled 17 training sessions during 2018 to improve awareness of human trafficking among professionals who may come into contact with victims. Furthermore, in 2017, professionals working as police officers, particularly border police and immigration officers, received training on how to recognise human trafficking (Council of Europe, 2017). These training sessions are very important as they are directed to the same officers who are targeted as partners by traffickers. Therefore, if these officials gain adequate training to recognise human trafficking and learn about the brutality of the crime, they are less likely to cooperate with traffickers. Moreover, traffickers would struggle to operate if they fail to establish partnerships with public officials.

The EU has also developed a demand reduction strategy, aiming to make it more precarious to engage in trafficking activities and purchase services provided by trafficking victims (EU, 2011). Recognising that the problem will not be tackled by moralistic rhetoric alone, they have sought to strategically target trade and economic benefit to increase risk and decrease demand (EU, 2011). Since public corruption is a big issue in Romania, this policy has the potential to transform the situation if successfully implemented. It would increase the risk following participation in any form of corruption that enables human trafficking and therefore disrupt the chain that enables it. When the policy is being implemented it has proven to be successful, one example being the conviction of a judge who was sentenced to eight months in prison for his use of services provided by an exploited person (US Department of State, 2017). However, in 2012, GRETA - an EU agency working to monitor the implementation of the convention - urged Romanian authorities to investigate reports of potential involvement of public officials in human trafficking-related offences (Council of Europe, 2012). The Romanian authorities maintained that such involvement is highly aberrant and that further investigation of any such cases is mandatory (Council of Europe, 2014). But this pressure from GRETA alone indicates that implementation is not universal, explaining the low number of persecutions and continuation of the crime (Council of Europe, 2014; US Department of State, 2017).

The role of NGOs and the impact of EU integration.

Cooperation between the state and the civil society is also important for effective anti-human trafficking work. According to article 35 of the EU convention against human trafficking, NGOs and governments are encouraged

to co-operate to achieve the objectives of the convention (Council of Europe, 2018). This is particularly important when it comes to policy-making, research and education, training of personnel who might come into contact with victims or perpetrators, awareness-raising campaigns and in processes of monitoring and evaluation (EU, 2011). As earlier indicated, the widespread issue of distrust makes such cooperation difficult in Romania. However, the rest of the section will assess how the EU has managed to encourage growth in Romanian civil society and empowered NGOs working to combat human trafficking.

Anti-human trafficking work can be divided into five stages: detection, prevention, crisis management, consequence management and response (Karlsson, 2013). NGOs are involved in all stages and the police are involved in four (Karlsson, 2013). Therefore, cooperation between NGOs and the police is particularly important in providing the necessary continuity for anti-trafficking work to be as effective as possible. In the case of Romania, such cooperation is problematic due to issues of both corruption and distrust. In contrast to western democracies where the civil society has flourished for many decades, Romania has faced severe challenges in rebuilding civil society after the oppressive years of communism (Parau, 2009). The first section demonstrated how a collective memory of distrust in civic organisations is affecting civil society and the Romanian people's unwillingness to participate in NGOs (Zakaria, 2013; Toma, 2015). This has a knock-on effect on the relationship between NGOs and public institutions (Toma, 2015). To counteract this, the EU has invested significant resources to empower NGOs, especially anti-trafficking NGOs, in Romania. Furthermore, the EU has sought to exert pressure on the Romanian government to provide a platform for anti-trafficking NGOs to influence policy making in the country (Council of Europe, 2018). One beneficiary of the EU's economic resources is Terre Des Hommes (TDH), who focuses principally on community development and child protection. They work to ensure that vulnerable children have access to schooling and healthcare. Furthermore, they work to improve the entrepreneurial skills of poor communities, especially of the ethnic minority Roma (TDH, 2018).

AIDRom, another NGO that receives funding from the EU, works principally with prevention and consequence management. Prevention includes training of officials who might come into contact with victims and awareness-raising campaigns in rural areas. In terms of consequence management, AIDRom provides emergency accommodation and counselling for trafficking victims before seeking to equip them for independent life (AIDRom, 2018). TDH and AIDRom are two of many NGOs with important roles in tackling human trafficking in Romania. This indicates that NGOs occupy an important role when it comes to anti-human trafficking work. Therefore, as the current system is operating, the fight against human trafficking will never be able to prevail unless NGOs manage to work well with the government and receive adequate funding. However, many NGOs struggle to obtain sufficient resources (GAN, 2017). Therefore, the EU is encouraging the Romanian government to provide economic resources to NGOs that work to combat human trafficking:

> "Ensuring that all assistance measures provided in law are guaranteed in practice; when assistance is delegated to NGOs as service providers, the state has an obligation to provide adequate financing and to ensure the quality of the services delivered;" (Council of Europe, 2016, pp.2-15).

Nonetheless, the Romanian government argues that they have no responsibility to ensure that NGOs gain adequate funding to provide their services (Council of Europe, 2017). As a result, many NGOs, who are entrusted to provide services to victims of trafficking or conduct important prevention measures such as awareness-raising, fail to deliver due to a lack of economic resources (GAN, 2017). Consequently, there is a significant lack of shelters for previous victims of human trafficking, especially for non-Romanian victims (TRACE, 2011).

According to Rawls (1999), international institutions such as the EU are expected to have a positive impact on decent societies as they are being included in the liberal project. This section has demonstrated that Rawls theory is partially accurate in the case of Romania. Through EU integration, Romania is obligated to concede to EU legislation. As a result, Romania has been forced to impose EU measures against human trafficking and form a national agency working specifically to combat the issue. Furthermore, the EU has strengthened Romanian civil society, an important anti-human trafficking actor. However, corruption and distrust remain as obstacles towards eradication of human trafficking. So far, the EU does not seem to have impacted the domestic political culture in which corruption is normalised. Romania has not completely adopted the liberal principles of the EU and western European states, but much improvement remains necessary.

Policy suggestions

Increasing measures to tackle corruption

The legal framework of both the EU and Romania are strong. However, despite legislation, human trafficking remains a central issue in the country (EU, 2011). Bales (2007) argues that reducing corruption in source countries would be the most effective way to tackle human trafficking because corruption creates a climate in which traffickers have the opportunity to find partners in public officials. Therefore, measures to tackle corruption must be part of any successful strategy to prevent human trafficking. However, the Romanian Government has not expressed sufficient interest in dealing with the severity of the issue, instead, they have attempted to legalise corruption under certain circumstance (Maurice, 2017).

A group of highly ranked government officials proposed at the end of 2017 to decriminalise cases of official corruption when the damage was less than € 200,000. Furthermore, they proposed to lower all sentences for official corruption and decriminalise abuse of power to obtain sexual services (Maurice, 2017). The proposal of this bill caused massive demonstrations in Romania and pressure from the EU. As a result, the Romanian Government was forced to remove the proposal (Maurice, 2017; The Guardian, 2017). The implementation of this bill could be extremely damaging from an anti-human trafficking perspective. What Romanian authorities should do is to increase the sentences for corruption and increase the risks following participation in corruption and other deviant activities.

Further investigation, research, teaching and training concerning the link between corruption and human trafficking could potentially encourage the Romanian government to consider further measures to tackle corruption. The resources that the Romanian government are investing into tackling human trafficking could be much more effective if they also increased measures against corruption. Therefore, I want to propose in accord with Bales (2007), that teaching and training concerning the link between the two issues must be developed, and should be directed to government officials, police officers, border control officers, social workers at institutions for vulnerable people and to the greater public whom might come into contact with both victims and traffickers. If corruption is not thoroughly addressed on an interpersonal or institutional level, norms will not change, and human trafficking will continue to flourish in the country. Furthermore, research into the costs of corruption and its impact on GDP growth could also decrease the public interest in corruption.

The EU has attempted to conduct further investigations concerning corruption accusations in Romania, wishing to investigate several political leaders including Liviu Dragnea, the leader of the Social Democratic Party, the largest

party in the country and a supporter of the bill discussed in previous section (Paun, 2018; Maurice, 2017). The Romanian prime minister, Viorica Dăncilă, argues that the accusations and proposed investigations are illegitimate and that she requires further information concerning the sources of the accusations before any further investigation will occur. She also asserts that she and the rest of her country respect the rule of law (Dăncilă, 2018).

Dăncilăs' unwillingness to investigate the accusations of corruption and the Romanian government's attempt to enforce a bill allowing official corruption to a certain extent indicates the lack of professionalism and ethics in the cabinet. According to IBA (2018), a high standard of professionalism and ethics in senior roles in the state leadership are important for corruption to decrease in a country. Since Romania is a member state of the EU, one could argue that the EU has a responsibility, according to a Rawlsian understanding of liberal institutions, to put pressure on the political leaders of Romania to adopt the culture of transparency and democracy that the institution stands for (EU, 2018). In cases of severe disregard of corruption, the EU could impose sanctions so that the country may understand the severity of the issue.

Building trust

The history of Romania has caused the people to distrust political organisations, state institutions, private organisations and NGOs. The result is a fractionated society in which few people participate in civil society. Instead, Romanians tend to gather with close networks of family and friends (Toma, 2015). At the first glimpse, this might not be perceived as a problem but according to empirical research conducted by Bădescu et al. (2004), participation in civil society correlates with higher measures of trust in other people. He particularly emphasises the importance of volunteering. Bădescu et al. (2004) found it difficult to pinpoint exactly what fosters trust through participation in civil society.

One can assume that the bridge-building that occurs when one steps outside a close network of friends creates tolerance and understanding and this can unite people from different backgrounds. Therefore, I want to propose that the Romanian government should encourage the formation of civil society organisations and facilitate meeting points in the local communities as well as on a regional level.

What can the EU do?

Due to the lack of initiative by Romanian politicians in dealing with corruption, this section argues for the importance of promoting research concerning the link between corruption and human trafficking. Furthermore, training concerning the link between the two issues should be given to actors who come into contact with traffickers and victims. The Romanian government must understand the costs of corruption - that it enables human trafficking and render their initiatives to take the issue impotent. The EU plays a role in applying pressure on the Romanian government to deal with public corruption. If necessary, they should impose sanctions on Romania. This is important because "Corruption is the lubricant that allows the wheel of human trafficking to adequately operate" (Tremblay, 2010, p.2). Therefore, if corruption is not sufficiently addressed, human trafficking will keep increasing and the most important value of the EU, human dignity, will forever be disregarded.

Conclusion

The Romanian post-communist transition has been problematic. Due to a lack of regulation in the early phase of the transition period, senior leadership positions in industries, the media and the police were given to people with close ties to the political elite. Hence, an unequal and corrupt social structure was reinforced (Gross, 2015; Gallagher, 2009; Andreescu and Keeling 2011). Furthermore, the Romanian people have a very low level of trust in formal institutions such as the police and the government (Cinpoes, 2015; Andreescu and Keeling 2011). This is most likely due to a collective memory of distrust that emerged during the communist era when the Romanian people were oppressed by the police and forced to participate in state-controlled civic organisations.

Much research has been developed that underpins association between human trafficking and public corruption. This paper has further assessed the link between the two issues in Romania and found that public corruption is an issue that enables traffickers in Romania to operate relatively freely (BAR, 2016; CSD, 2010).

Furthermore, this paper has assessed the impact of the EU on anti-trafficking work in Romania, finding that a Rawlsian assumption of the positive impact of international institutions can be employed to explain the positive development that the EU has brought about in the country. The EU has encouraged the Romanian government to improve their policies concerning human trafficking prevention and strengthened the Romanian civil society through economic funding. However, much improvement is still necessary, particularly concerning public corruption and a general lack of professionalism among Romanian politicians. Human trafficking will not decrease unless corruption is thoroughly dealt with. The EU should increase their pressure on the Romanian government to deal with corruption and integrate such measures in their anti-trafficking agenda.

References

8.7 Alliance, (2017) Global Estimates of Modern Slavery: Forced Labor and Force Marriage. Available from: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/ publication/ wcms_575479.pdf [Accessed 27.04.18]

Abraham, P (2001). The Romanian police and challenges of transition, In: Kadar, A (Ed.) Police in transition. Essays on the police forces in transition countries. Budapest: Central European University Press, pp. 115-129.

AIDRom (2018) Human Trafficking Prevention and Assisting the Victims. Available from: http:// aidrom.ro/ english/index.php/portfolio/prevenire-trafic-de-persoane/ [Accessed 27.04.18]

Andreescu, V and Keeling, D (2011) Explaining the public distrust of police in the newest European Union countries. *International Journal of Police Science & Managemen*t, 14(3): 219-245.

Bădescu et al (2004) Civil Society Development and Democratic Values in Romania and Moldova. East European Politics and Societies, 18(2): 316–341.

Bales, K (2007) What Predicts Human Trafficking?, International Journal of Comparative and Applied Criminal Justice. 31(2): 269-279.

Council of Europe, (2012) Recommendation CP(2012)7 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania. Available from: https:// www.coe.int/en/web/anti-human-trafficking/romania [Accessed 27.04.18]

Council of Europe, (2014) Report submitted by the Romanian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2012)7 on the implementation of the

Council of Europe Convention on Action against Trafficking in Human Beings. Available from:

https://www.coe.int/en/web/anti-human-trafficking/romania [Accessed 27.04.18]

Council of Europe, (2016) Recommendation CP(2016)11 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Romania. Available from: https://www.coe.int/en/web/anti-human-trafficking/romania [Accessed 27.04.18]

Council of Europe, (2017) Report submitted by the Romanian authorities on measures taken to comply with Committee of the Parties Recommendation CP(2016)11 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings: Second evaluation round. Available from: https://www.coe.int/en/web/anti-human-trafficking/romania [Accessed 27.04.18]

Council of Europe (2018), Action against Trafficking in Human Beings: Role of NGOs. Available from: https://www.coe.int/en/web/anti-human-trafficking/role-of-ngos [Accessed 23.04.18]

CSD (2010) Examining the links between organised crime and corruption. Available from: https:// ec.europa.eu/home-affairs/sites/homeaffairs/files/doc_centre/crime/docs/

study_on_links_between_organised_crime_and_corruption_en.pdf [Accessed 23.04.18]

Dăncilă, V (2018) Dear Mr President, Bucharest, March 21st 2018. Available from: http://gov.ro/ fisiere/stiri_fisiere/21-03_Scrisoarea_PM_V_Dancila_catre_presedintele_CE_Juncker_-_Eng.pdf [Accessed 23.04.18]

Daily Mail, (2018), Romanian crime gang brothers jailed for running human trafficking network. *Published 23rd of February 2018*. Available from: http://www.dailymail.co.uk/wires/pa/ article-5446395/Romanian-crime-gang-brothers-jailed-running-human-trafficking-network.html [Accessed 23.04.18]

Deletant, D (2015) Romania's commitment to the Rule of Law? in: *Post-Communist Romania after 25, linking past present and future*. London: Lexington books. pp.219-240

European Commission, (2011) Statistical Review. Available from: https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/statistical_review_1.pdf [Accessed 23.04.18]

EU (2011) EU directive 2011/36/eu on prevention and combating trafficking in human beings.

Official Journal of the European Union. Available from: https://ec.europa.eu/anti-trafficking/sites/ antitrafficking/files/directive_thb_l_101_15_april_2011_1.pdf [Accessed 28.03.18]

EU (2000). Charter of fundamental rights of the European Union. *Official Journal of the European Communities*. Available from: http://www.europarl.europa.eu/charter/pdf/text_en.pdf [Accessed 28.03.18]

EU (2018) The EU in brief: Goals and values of the EU. Available from: https://europa.eu/ european-union/about-eu/eu-in-brief_en [Accessed 07.04.18]

Gallagher, T (2009) *Romania and the European Union: How the weak vanquished the strong.* Manchester: Manchester University Press.

GAN (2017) Romania Corruption Report. Available from: https://www.business-anticorruption.com/country-profiles/romania/ [Accessed 28.03.18]

Gross, P. (2015) Spectacular Alternations, Few Changes in Romania's Media, in: *PostCommunist Romania after 25, linking past present and future*. London: Lexington books. pp. 127-146

Halbwachs, M (1992). On Collective Memory. Chicago and London: The University of Chicago Press, pp.49-51

Hogea, A (2010) Coming to Terms with the Communist Past in Romania: An Analysis of the Political and Media Discourse Concerning the Tismăneanu Report. Studies of Transition States and Societies. 2(2): 16-30

IBA (2016) Human Trafficking and Public Corruption: A report by the IBA's Presidential Task Force Against Human Trafficking. *September 2016.* Available from: https://webcache.googleusercontent.com/search?q=cache:s3LmMju-cSAJ:https://www.ibanet.org/ Document/Default.aspx%3FDocumentUid%3DE34FFA1D-8038-4AEC-A631-E0E2A7E0AD86+&cd=1&hl=no&ct=clnk&gl=uk&client=safari [Accessed 28.03.18]

Karlsson, N (2013) Anti-Sex Trafficking Institutions. International Migration, 51(4): 1-14.

Koszeg, F (2001) Introduction, In: Kadar, A (ed.) Police in transition. Essays on the police forces in transition countries. Hungary: Central European University Press, pp. 1-12

La Strada, (2017) Human traffickers use the "Loverboy" method to recruit Moldovan women into prostitution. *Published: 20 April 2017*. Available from: http://lastrada.md/eng/articles/humantraffickers-use-the-loverboy-method-to-recruit-moldovan-women-into-prostitut-123 [Accessed 28.03.18]

Maurice, E (2017) Romania's ruling party wants to soften corruption rules. *eu observer, 27*

December 2017. Available from: https://euobserver.com/justice/140417 [Accessed 07.04.18]

Mishler and Rose (1996) Trust, distrust and skepticism: Popular Evaluations of Civil and Political Institutions in Post-communist Societies. The Journal of Politics. 59(2): 418-451.

OHCHR, (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially

Women and Children Supplementing United Nations Convention Against Transnational Organised Crime. Available from: http://www.unodc.org/unodc/en/human-trafficking/what-ishuman-trafficking.html [Accessed 28.03.18]

Parau, C (2009) Impaling Dracula: How EU Accession Empowered Civil Society in Romania, *West European Politics*, 32(1): 119-141

Paun, C (2018) Romania picks fight with Brussels over corruption monitoring, *Politico*, Published 21 March 2018, Available from: https://www.politico.eu/article/romania-picks-fight-with-brusselsover-corruption-monitoring-viorica-dancila-jean-claude-juncker/ [Accessed 24.04.18]

Rawls, J (1999) Law of the peoples. London: Harvard University Press

Schwartz, B. (1988). Frame Images: Towards a Semiotics of Collective Memory. Semiotica 121, 1(2): 1-40.

Shelley, L (2010) *Human Trafficking: A Global Perspective*. Cambridge: Cambridge University press

Stan,M and Tismaneanu, V, (2015). Coming to Terms with the Communist Past: Democracy and Memory in Romania, in: *Post-Communist Romania after 25, linking past present and future.* London: Lexington books, pp.23-40.

Temblay, M (2010) Long workshop report form. Available from: http://iacconference.org.s3website.eu-central 1.amazonaws.com/documents/ws12CamilleKarbassi_LR.pdf [Accessed 28.03.18]

Terre Des Hommes, (2017) Romania. Available from: https://www.tdh.ch/en/our-interventions/ romania [Accessed 28.03.18]

The Guardian, (2017) Romania crisis deepens as anti-corruption protest enters fourth day. *The Guardian*, 3 February. Available from: https://www.theguardian.com/world/2017/feb/03/romaniacrisis-deepens-as-anti-corruption-protest-enters-fourth-day [Assesses 14.11.17]

Toma, R (2015) Twenty-Five Years After the Fall of Communism: The Cultural Peculiarities of Fighting Corruption and Building Civil Society in Romania, *Sociology Compass*, 9(11): 951-961.

TRACE (2015), Report on how external factors such as socio, political and economic factors, or interaction with other criminal industries shape the phenomenon of trafficking. Available from: http://data.trilateralresearch.com/wp-content/uploads/2015/12/ TRACE_D5.2_FINAL_Nov-30-2015.pdf [accessed 20.04.17]

Transparency International (2017), Country profile: Romania. Available from: https:// www.transparency.org/country/ROU [Accessed 13.11.17]

Topping, A (2017) Romanian couple jailed for trafficking girl, 14, into prostitution in UK. *The Guardian*, 12 May 2017. Available from: https://www.theguardian.com/uk-news/2017/may/12/ romanian-couple-jailed-trafficking-girl-prostitution-uk [Accessed 27.04.18]

US Department of State, (2017). Romania: Office to monitor and combat trafficking in Persons.

2017 trafficking report. Available from: https://www.state.gov/j/tip/rls/tiprpt/countries/ 2017/271268.htm [Accessed 04.27.18]

US Department of State (2017). Trafficking in person report. Available from: https:// www.state.gov/documents/organization/271339.pdf [Accessed 06.03.18]

Verdery, K (2015) The start of a new era?: Romanias reaction to Ceausescu's Fall, in: *PostCommunist Romania after 25, linking past present and future.* (London: Lexington books)

Zakaria, P, (2013) Is Corruption an Enemy of Civil Society? The Case of Central and Eastern Europe, *International Political Science Review,* 34(4): 351–371.

PART III

GEOPOLITICS: CONFLICT, MIGRATION AND STRUGGLE

11

LEVEL OF INTEGRATION AMONGST ROMANIAN CITIZENS IN THE UK

Georgiana Muriut

Introduction

Romanian migration into the United Kingdom (UK) was not significantly high in numbers until most of the restrictions were abolished in 2014, providing the right to work to the relatively new EU members. Romania joined the European Union in 2007. Since then, the figures of new Romanian migrants have rapidly increased, generating controversy around a theme that historically has always been contested in the UK: immigration. It perhaps constituted one of the main reasons behind the controversial UK withdrawal from EU membership (Brexit). Although movements were rigorously monitored and limited during the Ceausescu administration, today the scenario is completely different, so much that the diaspora increased enormously; considering that the nation is not facing war or natural disasters. This report focuses on the analytical examination of integration, segregation, and assimilation, namely in the United Kingdom, measuring factors such as the role of language, education and family reunification, together with employment access upon arrival.

Unlike other communities which have been established in the UK for a much longer time, the phenomenon of Romanian migration has only recently started to be significant. For this reason, there is scarce data available on the specific topic. Based on a mixed approach, the methodology of this paper consists of primary data gathered from quantitative surveys addressed to both nationals and non-nationals, aiming to take into account different perspectives. The participants in this report have been invited to complete a questionnaire answering questions related to factors such as language, education, and employment. This method was extremely useful, providing an unbiased and external evaluation of the evolving integration into the UK. Analysing reactions is an extremely important factor in survey-based research. In addition to this, valuable data has been obtained thanks to two interviews. The first interview involved someone who has been living in the UK for over fifteen years. Hence, we can talk about assimilation rather than integration. On the contrary, the other person speaks for those who manage to integrate but still decided to go back home. The reasons given allowed the outlining of favourable migration policies and unfavourable ones. The integration of immigrants is a complicated journey; governments can either help or delay this process. They should attempt to eliminate obstacles and ensure equal rights and full participation in the given society.

Solely examining policies is not sufficient—it is understanding whether they are efficient in actual practice that is truly crucial. Due to beneficial evaluations of immigration and integration policies having already taken place, together with a wide range of statistical data, the drawing of a policy brief is possible, analysing the weaknesses in the system concerning integration, but also outlining the positive aspects. It should not be forgotten that, excluding Croatia, who joined the Union in 2013, the EU2 countries are the last to have entered, and, making the transition from a post-communist country to an entirely EU member takes time and requires many changes—both in policy making and in the mentality of the citizens itself. Indeed, these differences are evident in the first EU2 wave of migrants towards the UK. At the same time, based on the results of the second survey, the overwhelming majority

agreed that the UK could make more efforts to support the newcomer's integration. This report intends to challenge the already existing UK immigration policies, using Cosmopolitanism and Global Justice as ethical frameworks.

Sampling for quantitative interviews

As often happens, members of diaspora communities tend to exchange opinions and share experiences through social network groups. That's why it was not difficult to identify and target these groups to collect survey responses: a total of 77 people across the main UK cities responded. The online survey has been chosen over telephone or face to face interviews because it was the most effective way to collect many responses inexpensively. It furthermore "provides a quantitative or numeric description of trends, attitudes or opinions" (Creswell, 2003).

Sampling for qualitative interviews

While the survey reached respondents across the whole country, both interviewees had some connections with London, home to thousands of Romanian citizens. In addition to this, the report has benefitted from secondary data too. While the qualitative method, namely the interviews, shifted the attention to a restricted number of members, the quantitative one, aimed at a much larger scale, was unfortunately not without limitations.

Research Limitations

Firstly, issues such as unwillingness to participate are common. While an extensive variety of data can be obtained, the validity of the answers could potentially be jeopardized by limited accuracy, dishonesty or even limited knowledge of the topic itself. Furthermore, the variety of choices could generate confusing data, since some answer options may be misinterpreted.

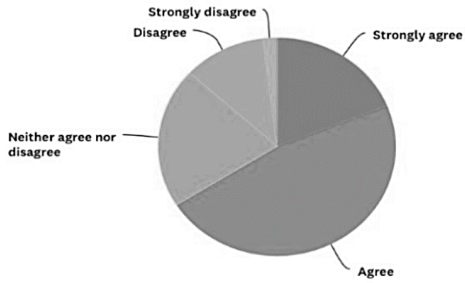
The accuracy of the secondary data also offers a mentionable limitation when contrasted to the data of Bulgarian Nationals. This is due to the migration waves from the two countries to the UK starting simultaneously after having been annexed to the European Union at the same time.

Results

The main feedback obtained from the questionnaire confirmed that:

- In the UK there is a lack of strong policies to support integration amongst immigrants. (Figure 1)

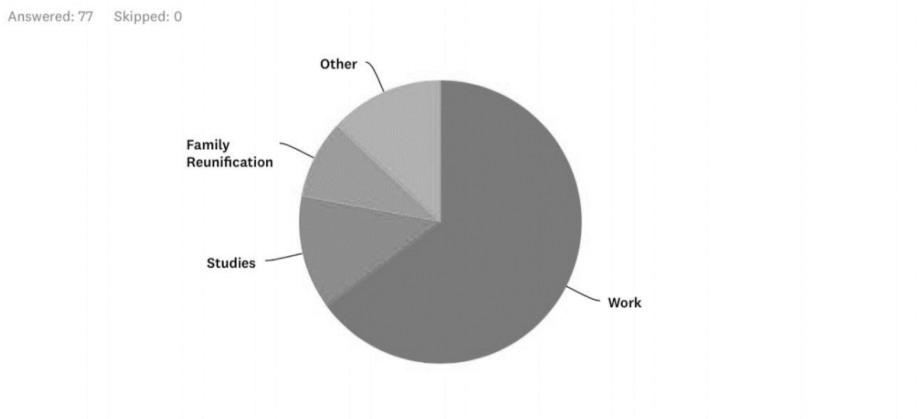
Figure 1: In the UK there is a lack of strong policies to support intergration amongst immigrants. (Source: Author›s own calculations)



ANSWER CHOICES	RESPONSES	
Strongly agree	18.87%	10
Agree	47.17%	25
Neither agree nor disagree	20.75%	11
Disagree	11.32%	6
Strongly disagree	1.89%	1
TOTAL		53

- In accordance with MIPEX (Migrant Integration Policy Index) Labour Market mobility in the UK is half-way favourable, a figure confirmed by the two interviewees (Appendices C and D) who managed to successfully advance in their careers despite being migrants.
- Both official statistics (Office for National Statistics) and data appositely collected for this report, confirmed that a large percentage of Romanians feel and are overqualified for the job they are in (Office for National Statistics).
- Both official statistics and primary data collected (HM Government, Casey Review, Appendices C and D) revealed that language is considered to be the most important factor for the integration of a migrant group.
- Government figures have shown that Romanians are not even in the top 20 of migrant groups claiming welfare. (Statistics on Migrants and Benefits, UK Parliament, 2016).
- Both official statistics and primary data collected revealed that unfavourable Family-Reunion policies along with difficult access to nationality, are jeopardizing the permanent stay of high-skilled migrants in the country (Table 2).

Figure 1: Reasons for Migration (Source: Author›s own calculations)



ANSWER CHOICES	RESPONSES	
Work	64.94%	50
Studies	12.99%	10
Family Reunification	9.09%	7
Political Persecution	0.00%	0
Other	12.99%	10
TOTAL		77

The Discussion

Summary

Migration movements have been part of humanity for a very long time. Today, migration is associated with conflict, state sovereignty, and border security; resulting in it becoming an issue that has become a prominent feature of contemporary globalization. The latest figures from ILO revealed that it involved 3.3% of the global population in 2015. Individuals are classified in the same instant that they are facing international borders. Different passports holders are going to enjoy different types of rights, given that, based on the citizenship, access to a country is granted, or not. For example, as reported by the recent Henley Passport Index, the most powerful citizenships, Japanese and Singaporean, are provided with free Visa access to 180 countries, while, the last on the list, Afghanistan, to only 24. What are the limits to the state's right to exclude non-citizens? Should states be left free to decide whom to admit based on religion, culture or ethnicity? "The use of ethnicity as a basis for immigrant selection is deeply problematic" (Carens, 2003). At times newcomers have been admitted thanks to their expertise that might have been highly requested in the host country or because the native population is not inclined to certain types of jobs. In fact, while significative limits upon the EU2 newcomers right to work were initially in place, due to the high demand of unskilled labour, especially in the horticultural area, a restricted number of workers was still recruited (Office for National Statistics). This is mainly because it is much harder to recruit labourers for very low paid jobs in poor working conditions. Therefore, there is a high demand in the market. When this happens, their access is often time-limited, to safeguard successful completion of the assignment, creating a further disparity between

those who have been granted unconditional residence in the country, and this is, again, ethically concerning, going against principles of equality.

Critique of Policy Options

Across the world, more people are moving across borders than ever before, with phenomena such as modern slavery and human trafficking on the rise. Many victims are trafficked forcibly to the UK, with the promise of non-existent jobs; while thousands of others come voluntarily in the search for a better life, only to fall in the hands of criminal gangs. Countless cases of Romanian migrants are forced to beg or are exploited in the construction industry. Not to mention the number of young girls induced into prostitution circles. They are often devoid of any national insurance and in most cases don't speak the language. These circumstances might have alimented the fact that Romanian migrants are portrayed by the media and publications with expressions very frequently associated with criminality and delinquency (The Migration Observatory, 2018).

A balanced and reliable policy proposal that approaches migration movements must deal with illegal entries as well, which, in most cases, represent the most vulnerable part of the society. This was, indeed one of the main objectives of the "Immigration Act 2016". Built on the Act of 2014, the Act's goals included increasing penalties for irregular employees and above all employers, reinforcing the worker's rights along with restraining the access to accommodation, driving permits and banking services (Immigration Act 2016). A successful integration-oriented policy, moreover, is not solely relying on economic and employment-related activities. It must have robust cultural, structural and educational features. As those features are all interconnected, the lack of integration in one single area could represent the downfall of the others with a domino effect, leading to several consequences. To name one, the agglomeration of specific groups of people in specific impoverished neighbourhoods, creating ghettoization and segregation. Shadowing the findings of MIPEX (Migrant Integration Policy Index) this report is going to measure integration policies based on: labour market mobility, education, and access to nationality as well as family reunion, health and permanent residence access.

Labour Market Mobility

Romanian migrants in the UK are a very diverse group; they are students, family members, workers in some of the UK's highest paid jobs and some of the lowest paid jobs, as well as everything in between. They also come from an array of social and economic backgrounds. However, when we look at the data collected there are some overall trends. Specifically, according to official figures and the survey, most migrants are coming to the UK for work. The fact that the UK economy has been growing over the last few years and currently has record levels of employment, is likely to be an important incentive. Likewise, what makes the UK a very attractive destination for Romanian nationals is the salaries. The problem in Romania is not unemployment. The unemployment rate is lower than many other European countries; it's overwhelmingly the fact that salaries as the average monthly wage are about a quarter than the ones in the United Kingdom. For this reason, the aim of the majority of Romanian migrants is to send money to their family. Other keys studies have shown that remittances have a positive impact on sender's countries.

Poland represented one of the biggest waves of migrants. Over a million came to the UK, a large number, yet nearly half had gone back to Poland and invested their experience and money earned, into the Polish economy

which could potentially be one of the greatest success stories of Europe in the future. Would that be possible for Romania? There are some key differences between Romania and Poland. One is the Polish economy, which is far more developed and less deteriorated by the Communist system and, consequently, is better at adapting to a democratic capitalist EU Environment. "There is a long tradition of authoritarian regimes in Romania, in very different political contexts" (Cinpoes). Proportionally, the Romanian diaspora is greater than any other Eastern European country, and that, of course, has jeopardized an already fragile democracy. However, Romania has notably decreased its micro-economic disproportions, starting from 2008 and managed to obtain one of the highest growth rates in the EU in 2016. Economic growth in the first half of 2017 was fomented by the private sector expenditure, pushed in turn by financial incentives and increments in salaries and allowances. The share of the population at risk of poverty dropped from 43% in 2009 to 38.8% in 2016. Despite these improvements, it remains one of the poorest countries in the Union. Poor governance and management are restraining Romania's competitive advantages (World Bank, 2017).

In the making of the Referendum for Brexit, there has been controversy surrounding welfare benefits, believed to be an incentive for the Romanian diaspora to the UK. In response to this, Governments figures (House of Commons Library, 2016) suggest that Romanians are not even in the top 20 of migrant's groups claiming welfare (Table 3 in Results section). Moreover, "of the Romanian citizens aged 16 to 64 years and resident in the UK, approximately 77% were employed, 5% were unemployed, 5% were inactive due to study and 13% were otherwise economically inactive" (Office for National Statistics, 2018). The same producer of statistics revealed that most Romanian migrants are employed in the hospitality, distribution and construction industry. In accordance with MIPEX, the Labour Market mobility in the UK is half way favourable. Not surprisingly, is not amongst the highest scores. Labour market assimilation takes time to develop and revolves around the migration group circumstances as well as policy-management (MIPEX, 2014). Highly educated newcomers may encounter problems being employed accordingly with their qualifications due to a series of circumstances. Firstly, most qualifications are not officially recognized in the UK with long and expensive conversion processes.

So, if it's true that most migrants are overqualified for the job they are in, immigrants are over-represented in low-skilled occupations, despite the fact that the majority of them have medium or high levels of education. The primary data collected for this report confirmed this trend, with the 56.76% of the participants considering themselves being overqualified (Table 2 in Results section).

Confirming this, official statistics revealed that "37% of EU2 citizens are overeducated for the job they are working in" (Office for National Statistics, 2017). At the same time, local citizens are worried about new immigrants with comparable expertise, as they are seen as a threat that could decrease their wages and increase their unemployment chances.

There are various reasons why a country such as the United Kingdom wants to attract highly skilled migrants, one of them is that they are increasing numbers of human skills that, in long-term projections, are going to contribute to the levels of innovation, production, economic growth and competitiveness of the country itself. That's why, historically, they have always faced less opposition. However, in times of economic crisis and uncertainty, there are concerns about the negative impact on the domestic labour force. Observational studies detect no proof of the fact that immigrant EU nationals in employment have influenced locals' employment or reduced their wages after the European Union expansion in expansion in 2004. Prohibitive measures which decrease the flexibility of labour markets could generate higher unemployment rates and income disparity (Directorate General for

Internal Policies, 2011). On a positive note, the larger part of international migrants, over time, manage to get a job by their competences as the UK legitimize employment and labour and still make efforts to acknowledge international qualifications.

Language and Education

On a basic level, English is vital for providing immigrants access to key services. Recent migrants should learn to speak and understand British language and values and seek opportunities to mix and become part of British communities. As Casey stated in her recent review regarding opportunity and integration, "a shared language is crucial to integrate into societies [...] one factor that stands out strongly as a barrier to progress is proficiency in English" (Casey, 2016). Without English, immigrants develop exclusive social networks and alternative labour markets. Many immigrants are working very long hours in poorly paid work, and this inevitably impacts on their ability to integrate within a certain community. Aside from this obvious and practical advantages, knowing another language has many other benefits, gives access to the culture and the traditions associated with it. It allows stepping outside the original language culture and ways of thinking. It allows one to see the world through other people's eyes. And this intercultural understanding is a crucial part of the integration process.

Not surprisingly, the Interviewee Mihaela (Appendix C), at the question "What is the role of language in integration in your experience?", promptly replied that it is "crucial, [....] the most important factor along with the capacity and ability to adapt in a new host society" (Baciu, 2018). And, when asked if it was difficult to access appropriate employment upon arrival, even given her qualification, she mentions once again the importance of the language:

> "It was difficult, the Romanian immigration network back then wasn't strong at all, there were no Romanian recruitment agencies as today, not so many social media or ways of communication. I could not use my qualification straight away. But with the right approach to improve the language and communication skills I have managed in a quite short time to adapt and integrate myself very well in the host society."(Baciu, 2018)

"This suggests that the internet provides an important degree of freedom and accessibility" (Trandafoiu, 2013). However, in consonance with Mitra, while diasporic websites implement a space where segregated voices have easy access to platforms of expression, obvious social issues might originate from the fact that they seem to exist outside the cultural spaces of the host community (Mitra cited in Trandafoiu, 2013). Of the same opinion is the second interviewee, Iona-Maria, who asserts that:

> "Everything starts from the ability to communicate; if you can speak more languages, it is a big advantage, but to speak the language of the host country is an essential requirement [...]. I really improved my English, back in 2007, there were hardly any Romanians to speak with."(Petrovan, 2018)

Education in the age of migration revealed its deficiencies in most European countries. The United Kingdom is ranked on MIPEX as 'halfway favourable' as the number of foreign pupils have grown immensely over the last decade. However, data has shown that "non-native English speakers are more likely to attend schools with disadvantaged native speakers" (Geay, McNally, Telhaj, 2012). As much as the role of the language of the host country, in this case, represented by English, is fundamental during the whole duration of the Integration Process, is not constructive to repress the newcomer's original language and cultural heritage as it can only add value. Besides this, studies have confirmed that bilingualism, especially for the youngest part of the population, is not only

beneficial in an increasingly globalized world but represents real cognitive advantages. This is not often understood in English-speaking countries as there is not an actual need for learning additional languages.

Family Reunification

Based on the data collected with the survey, only 9.46% of the participants emigrated because of family reunifications reasons. According to MIPEX (2014), the UK represents the most unfavourable environment for transnational families and couples regarding family reunification. The approach towards family reunification policies changes depending on different factors, and within the unstable political situation, especially given Brexit, the prospects of many transnational families are uncertain. The problematic general lack of assistance with social, educational or housing conditions adds to the pressure to keep up with national standards, such as paying the same taxes, for example. Exemptions and privileges are conceded to highly skilled expats and hardly ever to the ones that are most in need. With one of the worst housing crisis' ever seen, the UK is not a great place to reunite a family or to start a new one. Adding to this, the feelings of nostalgia, disorientation, and loss (Marcu, 2014) that a long permanence outside the home country can generate. For these reasons, in fact, the Interviewee Petrovan decided to leave London (Appendix D):

> "One of the main reasons why I left London is because I wanted to start my own family after having been working so hard for so many years. But in London is not as easy, given the unaffordability of housing and living cost generally. "(Petrovan, 2018)

Access to Health Care, Permanent Residence, and Nationality

Citizenship Policies in the UK have been changing over the years alongside different migration patterns and trends in the country. Before 2004, once a citizen has lived legally in the UK for the amount of time requested, the citizenship was granted, if delays not occurred. That began to change under the Labour government, which introduced language and cultural assessments. During that time, in fact, the ideas of Britishness and British values together with the importance of participation in the community, come into prominence. While the access to nationality was furthermore jeopardized by the "Borders, Citizenship and Immigration Act" in 2009, a turnover in Migration Policies is represented by the Immigration Act 2014 further reinforced by the one in 2016. Both limited access to free healthcare, toughened controls around sham marriages and civil partnerships, in an already uneasy environment for family reunification, in conjunction with more and more regulations around Rights to Rent checks and access to basic accommodation. This last point might be one of the reasons behind the dramatic increase in homelessness in the country. As reported by the Ministry of Housing, Communities & Local Government, the phenomenon has seen a rise of 15% from autumn 2016, with 20% of rough sleepers being non-UK national. The Equality Act of 2010 represented a step forward. It is not by chance the country is among the best in the world at fighting discrimination, considering the levels of multiculturalism, especially in the capital. However, there is still a long way to go as, for example, the funds for the Equality and Human Rights Commission have been cutting by more than half in 2012. (MIPEX 2014).

Policy Recommendations

In the interest of the country, policy-makers should estimate and understand what the implications of unfavourable Family-Reunion policies are and should consider re-designing them. The country might lose precious high skilled migrants if they are forced to leave due to not being able to live with their loved ones or not being able to obtain the citizenship if needed. Holding citizenship makes a difference between having the right to vote, or not, between being expatriate, or not, and having access to welfare, or not (The Migration Observatory, 2011). The UK is now home to thousands of the most talented individuals in the Global North. As proof, "there are more Malawian doctors practicing in the city of Manchester than in all of AIDS-ravaged Malawi" (Kapur, McHale, 2006). Similarly, the Romanian Health Care system is considerably affected by an extraordinary Brain Drain, with Germany and the United Kingdom among the favourite destinations. In terms of Health Care, as Romania is part of the European Union, its citizens can use the European Health Insurance Card, but, like everything else, with the UK in the process of leaving the EU, uncertainty prevails of what regulations will entail after that. In this regard, a focal point during the Brexit campaign was that the EU nationals placed a "burden" on the NHS (National Health Service). However, on the contrary, as 2.35 million EU nationals are regularly working in the UK (Office for National Statistics, 2018) hence paying taxes, they are adding value, seeing that most European immigrants and Expats are in the working age and are generally in good health. Basic free healthcare should be granted to all taxpayers. With the Equality Act contradicted by implementations in Immigration Laws, major investments and policy changes should start from the education, from those who represent the future. Schools have to adapt to new teaching methods in a context where many of the children don't come from an English-speaking family, encouraging the overall learning experience of migrant pupils in schools as well as promoting bilingualism. Investing more in foreign language classes in schools is going to promote equality, as, in most cases, native English speakers do not speak a second language.

Concerning higher education and university courses, taking into consideration the Global Justice approach to society, everyone should be entitled to the same opportunities. It's not ethically correct that only some students are facilitated with economic support from the government solely based on their citizenship, namely the UK one; this is a form of categorization. It is well known that being economically unstable and having to work long hours can jeopardize a student's results. Those who strive for excellent academic results can also be faced with the prospect of having to work hard and long hours to keep up with large expenses, as well as strive to gain crucial extra skills to increase employability. However, in most cases, these efforts are not recognized by institutions nor rewarded, and they should, as this will promote even more equality.

Surprisingly, there isn't an actual policy for the integration of migrants. There is a national strategy for refugees and those coming from an ethnic minority background (BAME, Black, Asian, and Minority Ethnic). There is no actual national strategy nor clear objectives. There is no framework for putting together all those who can contribute to integration process: Employers, trade union, migrant community groups, various NGOs, and all actors that could play a prominent role in facilitating the integration process. There is no leadership or government department responsible for it. Despite the presence of a robust legal framework with Equality and Anti-Discrimination legislation in place, that seems to be more valid to ethnic minorities rather than migrants or international students. Is it the Local government that has to be addressed, as integration happens at the local level, or there is also a role for the central government? In response to this, only the state Government can deal with the legal framework of immigration policies, as the enactment of laws. Furthermore, it is the government which decides the terms and conditions under which migrants stay in the country and, therefore, it is the Government itself that restricts their

rights. One of the things Governments could do is to review whether all those restrictions are necessary, given that they are also barriers to integration.

Conclusion

This report explored the key factors which impede or facilitate the integration of Romanian migrants in the UK, measuring participation and access through a variety of domains of influence.

There is a widespread assumption in integration debates: that it is the migrant's responsibility to integrate into the host society. It indeed involves participation and willingness from the migrant's side, but they also need to be given the opportunity to participate. Sometimes, the boundaries in place are making it very difficult. Firstly, they can face the same difficulties as everyone else: the lack of job opportunities or services that are suitable for their particular needs or the lack of affordable housing that, in the case of the UK, particularly in London, can induce highly skilled individuals to leave the country.

They also face barriers that are solely applying to them: unfamiliarity with the system upon arrival, language barriers, the attitudes of the public and discrimination. Procedural difficulties like the recognition of qualifications are making hard the mobility: If a migrant is qualified, but the qualification is obtained abroad, it is not going to be recognized by Employers in the UK. That's when public policy should facilitate overcoming these issues. Is the UK government doing enough? One of the objectives of this report was to answer to these questions. In the migration field, it is fundamental to engage with both sides of the debate, the representatives of the host country, in fact, must also be heard. The majority agreed that the policies in practice are not that supportive (Table 1). For this reason, the report aimed to constructively address the shortcomings—starting with suggestions about revisiting family-reunion policies or dispelling the myth that migrants have a negative impact on the NHS.

Another objective of this report was to challenge the stereotypes around the migrant group analysed here. Nevertheless, one of the deviations faced was that the majority of the statistical data gathered was juxtaposed with information belonging to Bulgarian nationals, having the countries joined the EU at the same time. That's the reason why this report cannot give an exact estimation of the numbers of overqualified Romanians only. However, this report has collected primary data, obtaining that 55.84% of the participants (Table 2) think that they are overqualified for the job they are in.

Another opinion across the local community is that what drove such large numbers of migrants towards the UK was the possible accessibility to the UK generous welfare system. In this case, also, the findings helped to dispel this myth. The qualitative interviews, moreover, contributed to the aim, outlining that through hard work and resilience integration is possible, not necessarily forgetting one's roots and identity. It is important to consider that Romania is still in that process of transition from a post-communist country. The years following the downfall of communism in Romania have witnessed a significant increase in nationalist behaviour. In fact, Cinpoes argues that the "most significant concern in post-communist Romanian political life was the process of integration in the western European system of values" (Cinpoes, 2010). Different weaknesses have been outlined in the Policy Recommendation section, with the main problem being that there is a lack of an actual

immigration policy itself. In addition to this issue, the implications of the policies that do exist regarding family reunification are evidently poorly estimated and understood. Therefore, redesigning them is highly recommended to be a subject of consideration.

References

Baciu, M (2018, April 16) Interview.

Borders, Citizenship and Immigration Act 2009 Available at: https://www.legislation.gov.uk/ukpga/2009/11/pdfs/ukpga_20090011_en.pdf

Cabinet Office (2018) Race Disparity Audit Summary Findings from the Ethnicity Facts and Figures website, Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/686071/Revised_RDA_report_March_2018.pdf [Accessed 25 Apr. 2018].

Carens, J.H., (2003). Who should get in? The ethics of immigration admissions. Ethics & International Affairs.

Casey, L (2016) The Casey Review. A review into opportunity and integration,

London: Crown. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575973/The_Casey_Review_Report.pdf [Accessed 26 Apr.2018].

Creswell, J (2003) Research design: qualitative, quantitative, and mixed methods approaches. London: Sage

Cinpoes, R (2010) Nationalism and Identity in Romania, A history of extreme politics from the birth of the state to EU accession, Tauris Academic Studies an imprint of I.B Tauris Publishers, London.

Directorate General for Internal Policies, Policy Department A: Economic and Scientific Policy, Employment and Social Affairs, European Parliament (2011) The integration of migrants and its effects on the labour market. Available at: http://www.europarl.europa.eu/document/activities/cont/201108/20110829ATT25420/20110829ATT25420EN.pdf [Accessed on 20 Apr.2018].

Equality Act 2010 Available at: https://www.legislation.gov.uk/ukpga/2010/15/contents [Accessed 26 Apr. 2018]

Geay, C, McNally, S, Telhaj, S (2012) In brief: Language barriers? The impact of non-native English speakers in the classroom. CentrePiece Article. Paper No CEPCP368. Available at http://cep.lse.ac.uk/pubs/download/cp368.pdf [Accessed 30 Apr. 2018]

House of Commons Library (2016). Statistics on Migrants and Benefits. London: Uk Parliament. Available at:

http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7445#fullreport [Accessed 29 Mar. 2018]

Immigration Act 2014 Available at: http://www.legislation.gov.uk/ukpga/2014/22/contents/enacted [Accessed 26 Apr. 2018]

Immigration Act 2016 Available at: https://www.gov.uk/government/collections/immigration-bill-2015-16 [Accessed 26 Apr. 2018]

Migrant Integration Policy Index | MIPEX 2015. [online] Available at: http://www.mipex.eu/ [Accessed 26 Apr. 2018].

Migration and Home Affairs, European Commission (2018) Short report of the 4th meeting of the European Migration Forum. Towards a more inclusive labor market for migrants: Seizing the potential by addressing the challenge, Brussels. Available at: https://ec.europa.eu/home-affairs/news/4th-european-migration-forum_en [Accessed 30/04/2018].

Ministry of Housing, Communities & Local Government. "Rough Sleeping Statistics (Autumn 2017), England (Revised) (2018), Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682001/Rough_Sleeping_Autumn_2017_Statistical_Release_-_revised.pdf [Accessed 26 Apr. 2018]

Marcu, S (2014) Geography of belonging: nostalgic attachment, transnational home and global mobility among Romanian immigrants in Spain, Journal of Cultural Geography, 31:3, 326-345, DOI: 10.1080/08873631.2014.945719 https://doi.org/10.1080/08873631.2014.945719 [Accessed 30/04/2018]

Matthews, B. and Ross, L. (2010). Research methods. Harlow: Pearson Education.

McGhee, D. (2010). Security, Citizenship and Human Rights. Basingstoke: Palgrave Macmillan.

OECD (2018), Working Together for Local Integration of Migrants and Refugees, OECD Publishing, Paris. http://dx.doi.org/10.1787/9789264085350-en [Accessed 19 Apr. 2018].

Office for National Statistics (2017) "Living abroad: dynamics of migration between the UK and the EU2". Available at: file:///C:/Users/w1621689/Downloads/Living%20abroad%20dynamics%

20of%20migration%20between%20the%20UK%20and%20the%20EU2.pdf .[Accessed 19 Apr. 2018].

Office for National Statistics (2018) "UK and non-UK people in the labour market: February 2018" Available at:

https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/ukandnonukpeopleinthelabourmarket/latest [Accessed 19 Apr. 2018].

Kapur, D. and McHale, J. (2006). Should a Cosmopolitan Worry about the "Brain Drain"? Ethics & International Affairs, 20(03), pp.305-320

Petrovan, I (2018, April 16) Interview. Publications.iom.int. (2018). World Migration Report 2018 [online] Available at: https://publications.iom.int/system/files/pdf/wmr_2018_en.pdfa [Accessed 8 Apr. 2018].

Roberts, C. & Davies, E c1992, Language and discrimination: a study of communication in multi-ethnic workplaces, Longman, London; New York Saris, W. (2014). Design, evaluation, and analysis of questionnaires

for survey research. Hoboken: Wiley.

The Henley Passport Index (2018.) [online] Available at:

https://www.henleyglobal.com/henley-passport-index/ [Accessed 29 Apr. 2018].

The Migration Observatory at the University of Oxford (2016). UK Public Opinion toward Immigration: Overall Attitudes and Level of Concern - Migration Observatory. [online] Available at: http://www.migrationobservatory.ox.ac.uk/resources/briefings/uk-public-opinion-toward-immigration-overall-attitudes-and-level-of-concern/ [Accessed 28 Apr. 2018].

The Migration Observatory at the University of Oxford (2018). Bulgarians and Romanians in the British National Press - Migration Observatory. [online] Available at: http://www.migrationobservatory.ox.ac.uk/resources/reports/bulgarians-romanians-in-press/ [Accessed 30 Apr. 2018].

The Migration Observatory at the University of Oxford (2011) Citizenship: What Is It and Why Does It Matter? [online] Available at http://www.migrationobservatory.ox.ac.uk/resources/datavisuals/citizensip-what-is-it-and-why-does-it-matter/ [Accessed 1 May 2018].

The Migration Observatory at the University of Oxford (2011) Integration [online] Available at

http://www.migrationobservatory.ox.ac.uk/resources/primers/integration/ [Accessed 1 May 2018].

Trandafoiu, R. (2013). Diaspora Online: Identity Politics and Romanian Migrants. NEW YORK; OXFORD: Berghahn Books. Retrieved from http://www.jstor.org/stable/j.ctt9qcz9f [Accessed 23 Mar 2018].

World Bank. (2018). Overview. [online] Available at: http://www.worldbank.org/en/country/romania/overview [Accessed 8 Apr. 2018].

12

WHY DOPING IS BAD: THE LEGALITY OF THE EU-TURKEY DEAL AND ITS IMPLICATIONS ON THE MIGRATION POLICY, THE ACCESSION PROCESS, AND THE RULE OF LAW

Julian A. Hettihewa

Introduction

As is known in sports, doping may help to win a competition – for example to run faster than the others. Though a runner may receive a gold medal, it is up to their commitment to the rules and up to the monitoring institutions if they get to keep it and if they ever get the chance to run again. This paper wants to elaborate on this through a comparison with the so-called EU-Turkey Deal.

To clarify, this paper tries not to advocate the rule of necessity as presented in the above citation. Quite the opposite in actual fact. To achieve this, the deal will serve as an example of the citation and through that as an answer to the question why doping, as a metaphor for disobeying rules, is rightly considered as something negative.

The deal was established from 15 October 2015 on, around the time when more than one million refugees claimed asylum in the European Union (EU). The situation led to unusual measures with implications on many levels. This paper attempts to examine these measures, their results, their reactions and their physical and non-material costs.

This examination will be structured as follows: After the background of the deal, and the deal itself are presented, the two main parts of this paper will be addressed. Firstly, the legality of the deal regarding international law (IL) and EU law will be examined. Secondly, the findings will then be the basis for the analysis of the implications on the migration policy, the accession process of the Republic of Turkey (Turkey) to the EU, and the rule of law. A conclusion will claim that obeying the rule of law under all circumstances is of greatest importance.

Background

The European Economic Community (EEC), the predecessor of the EU, was established in 1957. Turkey's "formal relationship" with this predecessor began with the attempt to join the community with the application for associate membership (1959) followed by the Agreement establishing an Association between the European Economic Community and Turkey (1963) (Capan and Onursal, 2007; Erdemli, 2003). For a number of reasons this agreement failed to achieve the accession (European Council, 1982; Ozkan, 2001). Turkey applied for a membership in 1987, which was rejected in 1989 for "political rather than economic" reasons (Kahraman, 2000, p5).

In 2011, uprisings in several Arab states led to a situation referred to as the "Arab Spring", affecting more than 340 million people (Joffé, 2011; Sakbani, 2011). Especially in Syria, it developed a major crisis turning into a complex civil war.

The same led to an influx of internally displaced and refugees coming to Europe (Doocy et al, 2015; Kugiel, 2016). Iraq, Afghanistan, Pakistan, Libya, and Nigeria, too, were countries of origin of many refugees (Kugiel, 2016; Vasile, 2015). Whereas the number of asylum applicants in the EU was 302,000 in 2011, the number increased to 1,255,600 in 2015 (Eurostat, 2013; Eurostat, 2016). More than 900,000 of them entered the Union by arriving in Greece – whereas it was 77,163 in 2014 (International Organization for Migration (IOM), 2017a). 88% of the people arriving in Greece and more than 50% of the humans arriving in the EU in 2015 were from Syria, Afghanistan and Iraq (IOM, 2017a; Eurostat, 2016).

The influx of migration led to domestic pressure in several member states of the EU, politically benefiting right-wing parties (Kirisci, 2016; Dagi, 2018). Turkey, which from an EU perspective was often regarded as "buffer zone on the exposed Southern border", sought exactly this role in the Union's migration policy (Ozkan, 2001, p44). Turkey intended to reenergize the accession negotiations to benefit quickly from EU membership (Greenhill, 2016). A meeting of both parties took place on the 29th November 2015 leading to the 'EU-Turkey joint action plan', aiming to reduce irregular migration (European Council (Council) and Council of the European Union (Council of the EU), 2015; Commission, 2015).[1] However, the same remained high and both parties discussed a better implementation on the 7th and 17th-18th of March 2016 (Council and Council of the EU, 2016a; Council and Council of the EU, 2016b). The outcome of all meetings can be named the 'EU-Turkey Deal'.[2] Notably, the EU was under tremendous pressure, which is evident in the following: in a meeting with the President of the Council (Council) Tusk and the President of the European Commission (Commission) Juncker, Turkey's President Erdoğan threatened: "We can open the doors to Greece and Bulgaria anytime and we can put the refugees on buses... So how will you deal with refugees if you don't get a deal? Kill the refugees?" (Foster, 2016; Kambas et al., 2016)

The Deal

Generally speaking, the deal covers the transfer of €3 billion Euro and another €3 billion Euro by the end of 2018 from the EU to Turkey. Moreover, it foresees the returning of all irregular migrants who are leaving Turkey to reach Greece, while the EU is carrying the costs and the relocation of Syrian citizens from Turkey to the EU for every Syrian citizen sent from Greece to Turkey. Additionally, the visa liberalization for Turkish citizens shall be achieved by the end of June 2016, on condition that all benchmarks are fulfilled. Finally, the accession process shall be re-energized, and Chapter 33 shall be opened (Council and Council of the EU, 2015; Commission, 2015; Council and Council of the EU, 2016a; Council and Council of the EU, 2016b).

The Legality of the Deal

The legality of the deal will be assessed regarding IL and EU law and only in terms of the laws governing the form and process of agreements as the main difficulties of the deal lie there.

1 At this time both parties will be named "EU" and "Turkey" while it will be examined later whether both are actual parties of the deal.

2 This paper follows Laura Batalla Adam's opinion in regarding the outcomes of November 2015 and those of March 2016 as the deal, as all aspects are flowing into each other simultaneously and are of similar importance in regard to the object of this paper, see (Adam, 2016).

International Law

The deal could be legal in terms of IL, if it falls within the applicable system of IL and if there has been no violation of the same.

IL can be defined in numerous ways, but it is generally accepted as set of rules applying to States as the main subjects (Permanent Court of International Justice (PCIJ), 1927; Lauterpacht, 1970; Tomuschat, 2016; Shaw, 2017). Although the EU is a supranational organisation, it is an actor of IL too (Article 47 TEU, Article 216 TFEU; Court of Justice of the European Union (CJEU), 1971; Cremona, 2008; Hoffmeister, 2008; Kuijper et al., 2013).

Determining the Parties

Having said that, the actors of the deal must be determined first. Turkey was one of the parties. To determine the other is more complicated.

Maybe the Member States of the EU acted. The CJEU and the General Court (GC) recognised that representatives of Member States can gather in the offices of an EU institution, which they did in this case, without acting as the Council or Council of the EU (GC, 2017; CJEU 1993). The Courts apply an instrument to distinguish between an act of an EU institution and a mere gathering of Member States: "it is not enough that an act should be described as a 'decision of the Member States' for it to be excluded from review under Article 173 of the Treaty. In order for such an act to be excluded from review, it must still be determined whether, having regard to its content and all the circumstances in which it was adopted, the act in question is not in reality a decision of the Council." (CJEU; 1993, para14; see also: GC, 2017c) Based on this instrument, the circumstances under which the deal was approved must be considered in order to determine its authorship.

The 'EU-Turkey joint action plan', published by the Commission, mentions that "Turkey and the EU are determined", that "The EU side intends to" and even more clearly, that the "Action Plan identifies a series of collaborative actions to be implemented (…) by the European Union (EU) and the Republic of Turkey" (Commission, 2015). Noting this, there is no reason to believe why any other party instead of the EU should have acted.

On the 7th of March 2016 the Council of the EU acted as publisher of a statement which includes announcements such as the following: "The Commission will report on a monthly basis to the Council on the implementation of relocation commitments", "The European Council will come back to the migration file in all its aspects at the March European Council" – however, the Council of the EU claims not to have links with this document (Council of the EU, 2016a, GC, 2017c).

Another important document for the pursued determination is Press Release No 144/16, published by the Council of the EU. It states that "the EU and Turkey decided", that "Turkey and the European Union reconfirmed", that "Turkey and the EU recognise", et cetera (Council of the EU, 2016b). However, the GC regards this as "regrettably ambiguous terms of the EU-Turkey statement" (GC, 2017a; GC, 2017b; GC, 2017c).

The GC argues that the invitations and notes for and schedules of meetings in March 2016 made clear who was invited, in which capacity, and at what time (GC, 2017a; GC, 2017b; GC, 2017c). It must be criticized that the GC bases its order on documents such as invitations that are not as accessible, transparent, and informative as official press statements.

The GC states that the presence of the President of the Council and the President of the Commission at the meeting of 18 March 2016 is of no importance (GC, 2017c). Notably, the Council consists of the heads of state or government and the two presidents (Art. 15 (2) (1) TEU). To argue that the Council did not act by simply claiming that it did not bears a grave threat to the legal framework of the EU in general. The same point contradicts the spirit and the purpose of the instrument of the CJEU (as stated above) and Article 15 (2) (1) Treaty on European Union (TEU).

The orders of the GC must be rejected. The GC does not provide sufficient arguments for the thesis that only Member States acted. On the contrary, from every relevant official statement and press release the fact is quite evident that it was the EU that acted or more precisely the Council.

Back to the Application of International Law

Having identified the two parties of the deal, this paper returns now to the question of the applicability of IL. The basis of IL is the consent of the respective states (Oppenheim, 1955; Watson, 1992; Lister, 2011; Guzman, 2011). Since sources (meaning different types of treaties) in IL depend generally on the consent of states, as treaties in all kinds of variations are possible (Art. 24 (2) VCLT; Oppenheim, 1955; Hollis, 2005; Charlesworth, 2012).[3] Hence, hypothetically, the deal, regardless of its quality as a source, could enter into force, if both parties consent to be bound. However, the GC reports ("For the sake of completeness") that the Council, the Council of the EU, and the Commission deny that an agreement has been concluded (2017a, para.72; 2017b, para.71; 2017c, para.71). Consequently, although the EU might be a party to the deal there are no effects in terms of IL due to the lack of consent.

Still, the EU could be bound by the deal. Generally, the principle of estoppel in IL implies that a subject of IL is obligated to be consistent in its actions to a respective legal or factual situation (ICJ, 1962; MacGibbon, 1958; Kaijun, 2018). This principle is used when no formal agreement doubtlessly exists, but when the parties acted in such a manner as if such an agreement had existed (ICJ, 1962). Without going further into details, the existence of the principle is highly disputed. James Crawford argues that estoppel "has no particular coherence in international law" (2012, p421). Jan Klabbers claims that estoppel is "one of the more mystical doctrines in international law" (1996, p93). Many other scholars hold similar critical opinions, such as Derek William Bowett (1957) and Christopher Brown (1996).

Another instrument could help: international customary law. Generally, this law consists of state practice and the opinio juris (ICJ, 1969; International Law Commission (ILC), 2016; Greig, 1976; Higgins, 1994). Again, without going further into details, a problem arises in the formation of customary law: Besides the repetition of acts (meaning they are general, widespread and consistent practice) states need to feel bound by a legal obligation (ICJ, 1969; ILC, 2017). Conferring this upon the deal it is still too early to decide whether both apply for the EU.[4]

3 Indeed, Art. 2 (1) (a) VCLT defines the term "treaty" but the provision does not really narrow the notion; Although the EU is not a party to this convention, its provisions generally apply as they are customary IL see: CJEU,1998; ICJ, 1973; Odermatt, 2017.

4 Regarding the deal as a precedent for further deals with African States is not contrary to that, since this still not evidences a general, widespread and consistent practice.

EU Law

The deal could be legal in terms of EU law, if the system of EU law is applicable and if the EU adhered to the laws governing the creation of such deals.

Application

Needless to say, anytime an EU institution acts, EU law is applicable. As analysed above, the EU, namely the Council, acted as a party to the deal. Hence, EU law is applicable.

Violation of EU Law?

The EU institutions, namely the Council, could have complied with EU law. Respective norms of Part Five Title V and others of the Treaty on the Functioning of the European Union (TFEU) could be applicable and not violated.

To start with, an agreement, as written in Article 216 (1) TFEU, is an agreement between the Union and one or more third countries. This must be interpreted broadly (CJEU, 1975; Eeckhout, 2011), including any "expression in a general sense to indicate any undertaking entered into by entities subject to international law" (CJEU, 1975, p1360). Hence, the EU-Turkey Deal can be regarded as such an agreement.

Right to Conclude an Agreement

The EU can conclude an agreement, since Art. 8 (2) TEU provides the competence to establish agreements with neighbouring countries. Furthermore, Art. 79 (3) TFEU expressively provides the EU the competence regarding agreements related to migration.

Negotiating and Concluding an Agreement

Article 218 TFEU regulates the process of negotiating and concluding an agreement. Generally, the Commission or the High Representative of the Union for Foreign Affairs and Security Policy (High Representative) asks the Council to open negotiations (Article 218 (3) TFEU). The Council can nominate a negotiator (Article 218 (3) TFEU). On proposal by the negotiator, the Council can authorise the signing and concluding of the agreement (Article 218 (5), (6) TFEU). The Council was not asked to open negotiations, did not nominate a negotiator or authorised the signing and the concluding of the deal on its proposal.

Furthermore, if the agreement relates exclusively to the common foreign and security policy and if the agreement is a case, for example, of important budgetary implications for the EU, the Council must have the consent of the European Parliament (EP) (Article 218 (6) (a) TFEU). The common foreign and security policy covers "all areas of foreign policy and all questions relating to the Union's security" (Article 24 (1) TEU).[5] The deal can be considered as part of this due to its elements outlined above. Moreover, the deal covers €3 billion Euro from which €1 billion Euro are from the EU budget and additional €3 billion Euro from EU's budget by the end of

5 The paper's aim is not a detailed definition. It can be referred to: Piet Eeckhout, "The EU's Common Foreign and Security Policy after Lisbon: From Pillar Talk to Constitutionalism" in Andrea Biondi, Piet Eeckhout and Stefanie Ripley (eds), *EU Law after Lisbon* (OUP 2012) 265.

2018 (Commission, 2016b). This must be regarded as important budgetary implication. However, the EP did not participate in the creation of the deal.

Hence, the provisions of Article 218 TFEU have been violated.

Special Legislative Procedure

Yet the EU could have complied with Article 78 TFEU, which states that the Union can adopt a common policy regarding asylum law and its equivalents. Measures in this sense can be passed by the EP and the Council acting under the ordinary legislative procedure (Art. 78 (2) TFEU). However, Art. 78 (3) TFEU allows the Council to act in cases of sudden inflow of non-EU nationals. But only after the Commission proposed the same and after the EP got consulted – which was not the case here. Without going further into details, the EU violated Article 78 TFEU.

Invoking Internal Law

After the creation of the deal is found illegal in terms of EU, this may have an impact on the deal in terms of IL (leaving the question open whether the deal can be assessed under IL). However, it is well established that a party cannot invoke provisions of its internal law as justification for its failure to perform a treaty (Art. 27 VCLT; UN GA Res 375 (IV) Art. 13; PCIJ, 1923; Kaczorowoska-Ireland).

The deal was established between the EU and Turkey. The deal can only be evaluated under EU law; therefore it is illegal.

The Implications of the EU-Turkey Deal

Without a doubt many implications could be examined. This paper wants to concentrate on the migration policy, the accession process, and the rule of law. All are deemed of great importance, which will be reasoned in their respective introductions.

Migration Policy

Migration lies at the heart of the deal and therefore the lives of humans as well. The primary objective of the deal is to end extensive migration from Turkey to the EU and to prevent the same (Commission, 2015; Council of the EU, 2016a; Council of the EU, 2016b). It will be assessed whether this was achieved and if so at what price. This section will be divided into; firstly, the past, present and future of EU's migration policy, including respective numbers and figures, secondly, critique and, finally, a conclusion.

The past, present and future of EU's migration policy

In the past, a key problem of the Union's migration policy was the lack of unanimity. For example; by the end of 2015 Syria was the "largest refugee-producing country" (IOM, 2017a, p8). However, the EU played no major role in solving the civil war due to its leaders' lack of interest and the absence of its diplomacy (Pierini, 2016).

As the war in Syria did not end, a massive influx of refugees was the consequence. Within the same time, Regulation EC 343/2003 (Dublin II Regulation) gained relevance. Initially, the Union tried to establish a common asylum policy as it adopted the Dublin convention of 1990, which was the basis of the Dublin II Regulation (Havlová and Tamchynová, 2016). Paradoxically, the attempt of unanimity led to disunity: asylum seekers were obliged to apply for asylum in the country they first entered, therefore, EU border states were the states that hosted the most asylum seekers (Bacic, 2012; Havlová and Tamchynová, 2016).

Yet the deal unified the Member States of the EU in the sense that there was a consensus that Turkey should contribute too. Having the number of arrivals in Europe in 2015 in mind, this number decreased to 387,739 by the end of 2016 (IOM, 2016). Greece experienced a decrease of 79% in arrivals to 176,906 (IOM, 2016). Compared to 2016, the numbers declined once more by 52% to 186,768 arrivals in Europe in 2017 (IOM, 2018a). Again, Greece experienced a decrease of 80% in 2017 to 35,052 arrivals (IOM, 2018a).

However, while the numbers decreased in Greece, they increased in Italy by 16%, having 155,842 arrivals in 2015 and 181,436 in 2016 (IOM, 2016). In 2017, 119,369 persons arrived in Italy, which are 64% of the overall registered (IOM, 2018a).

The number of deaths and missing migrants in the Mediterranean Sea increased from 3,785 in 2015 by 36% to 5,143 in 2016 (IOM, 2017b). This number dropped to 3,119 in 2017 (IOM, 2018a). Notably most of the fatalities occurred not in the Eastern (434 fatalities in 2016, 62 in 2017), but in the Central Mediterranean (4,579 fatalities in 2016, 2,834 in 2017) (IOM, 2018a).

Although being too early to draw conclusions, the numbers of 2018 shall be mentioned. As of 25 November 2018, 106,269 irregular migrants arrived in the EU (IOM, 2018b). 23,009 of them in Italy, 29,164 in Greece, and 51,984 in Spain (IOM, 2018b). 2,219 persons are dead or missing (IOM, 2018b). 1,277 fatalities occurred in the Central and 167 in the Eastern Mediterranean – and 675 in the Western Mediterranean (IOM, 2018b).

Most migrants are crossing from North Africa to Europe, almost 90% from Libya (IOM, 2017b). For this reason, the EU is putting efforts into a cooperation with Libya (EEAS, 2018a; EEAS, 2018b). For instance, the Union supports Libya in border protection, hosting and returning of migrants, and finances 37 projects with €120 million Euro (EEAS, 2018a). Another element in the EU's external relations is its partnership with the African Union (AU) (Council and Council of the EU, no date; Rein, 2017). The recent summit between the EU and the AU on the 29th and 30th of November 2017 dealt with cooperation in migration policy, as is reflected in the Joint declaration of the 5th African Union-European Union Summit, 30th of November 2017 (AU-EU/Decl. 1(V)) (Council and Council of the EU, 2017): "We aim to promote a positive, and constructive and multidimensional approach to migration that takes place in a safe, orderly and regular manner. (…) We express our strong political commitment to address the root causes of irregular migration and forced displacement. We stress the importance of effectively managing irregular migration in a spirit of genuine partnership and shared responsibility" (No. 10 of AU-EU/Decl. 1 (V))

The wording and the strategic approach are similar to the EU-Turkey Deal as its aim was also ending irregular migration and addressing root causes. Moreover, the EU and Turkey stated to work "in a spirit of burden sharing", which is not different from a "spirit of genuine partnership and shared responsibility" (Commission, 2015; Council

and Council of the EU, 2017, No. 10 of AU-EU/Decl. 1 (V)). It is therefore difficult to believe that the deal was an isolated project with no influence on other external agreements of the Union.

Patryk Kugiel takes a practical view on the deal. He states that the deal "proved to be the most effective way to freeze the refugee crisis" (2016, p49). Moreover, the cooperation between the EU and Turkey made it possible to "stem the inflow of migrants to Europe" (2016, p49).[6]

Nevertheless, he points out that the EU "outsourced" its migration to Turkey, which made it dependent on Turkey's will to keep the borders blocked (2016, p49). Further, Roxana Barbulescu warns that the EU will lose its position as human rights champion, since it is difficult to protect the rights of migrants and asylum seekers who were returned and are now located outside of the Union (2017). In this context, Sevda Tunaboylu has already accused Turkey of not complying with human rights standards. Moreover, she argues that "'chain' refoulment" could come into existence due to readmission agreements (which are not publicly available) between Turkey and Nigeria, Yemen and Pakistan (2017, p86). It has already been reported that Syrians, including children, pregnant women, and elderly, are forcefully pushed back into Syrian territory (Human Rights Watch, 2015; Lambert, 2017).

The EU gained unity through the deal in certain regards. Looking at the numbers it also achieved its objective: ending migration from Turkey. However, this came along with an increase in migration and fatalities from North Africa to Europe in 2016. There is reason to believe that this deal is a precedent for further agreements. Moreover, the EU's attempt to outsource its migration policy is an attempt to outsource its responsibility for human rights. This led to serious violations in Turkey. The price for less migration to Europe is the loss of human rights in Turkey.

Accession Process

The significance of accession is obvious as a new Member State will have an impact on all levels. A Member State more means one vote more in the Council and the Council of the EU, new members of the EP, a new European Commissioner, a new judge on the CJEU, new responsibilities in the agenda of the Union, new budget implications, et cetera.

The aim of the following part is to present and examine the accession policy of the EU towards Turkey, assessing the impact of the deal to this end. The structure will be as follows: the progress in the accession process before the deal will be explained, while the prospects during the creation of the deal will be pointed out. Then, the developments since the deal will be covered, followed by a critique of the deal in relation to the accession process.

The Progress of EU and Turkey

Although Turkey's application was rejected in 1989, a customs union was established between both sides in 1995 (EC-Turkey Association Council, 1995), leading to Turkey being accepted as candidate state in 1999 (Council, 1999). In 2005 negotiations were opened (Commission, 2005). However, the negotiations faced serious obstacles such as the unresolved dispute with Cyprus (Ulusoy, 2007) and the public opinion of Union citizens (Gerhards, Hans, 2011). In 2014, the accession was described as "stalemate" (Içener and Phinnemore, 2014, p41). In 2015/2016 came the EU-Turkey Deal, with the aim to re-energize and accelerate the accession.

6 It comes without saying that the EU itself regards the Deal as success see: European Council and Council of the EU (2018a).

Developments since the Deal

The relationship gained a certain momentum from the attempted coup d'état on 15 July 2016 onwards. As Turkey's and EU's perspectives differed regarding the process after the coup, this event is regarded as a "turning point in the relations" (Tekşen, 2017, p116). The EU requested that Turkey shall revise its anti-terror measures and legislation (Commission, 2016c; Üstün, 2017). Turkey's President Erdogan replied: "We'll go our way, you go yours" (Letsch, Rankin, 2016). Then the EP passed a (non-binding) resolution in November 2016 to freeze the negotiations (EP, 2016b). This climate worsened during the Turkish constitutional reform in spring 2017: while numerous European cities and states did not to allow Turkish referendum rallies, Erdogan described certain governments of the EU as "Nazi[s]" (Pierini, 2017, p3; Oltermann, 2017, Rubin, 2017). Yet, the High Representative, Federica Mogherini, stated that "the accession process continues, it is not suspended, nor ended" (EEA, 2017). In October 2017, the Council called for full commitment to the cooperation with Turkey on migration (Council, 2017). Both sides reemphasized their commitment in their cooperation again in Varna, 26 March 2018 (Council and Council of the EU, 2018b).

The Union's role in the recent developments was much criticized. Asli Okyay argues that the EU restrained itself to speak up to the worsening human rights standards in Turkey only to maintain the deal (2016, p63). Thereby the EU would be "implicitly approving" Turkey's policy (2016, p63-64). Laura Adam thinks that the deal did not achieve its objective to re-energize ties, "the deal has instead pushed EU and Turkey farther apart" (2017, p51). To the question of accession as an engine for democratisation, Çiğdem Üstün finds that the EU lost its "vigilance" through its policies towards Turkey, which includes the deal (2017, p96). Only a minority sees positive aspects: for example Murat Çetin, who claims that "Turkey has made a considerable progress" to acquire membership (2016, 407).

The new commitment to Turkey's accession began in the 1990s but was since then everything else then an energetic kick-off. The deal did not – against its intention – help to change this. Rather, the deal led to an interdependence between the EU and Turkey which did not achieve full respect for human rights and democracy but prevented them. In times of the rising of dictatorship in Turkey, the EU needed an unrestrained position in which it could act in line with its values. However, it found itself tangled in accession negotiations which led and lead to nowhere. It seems to be paramount to the Union to protect the deal.

Rule of Law

The supremacy of law can be considered as a cornerstone of a democratic and accountable community. This final section will deal with the rule of law by, first, detecting it in the law of the EU. Then by assessing implications of the deal on the principle in the Union. This paper defines the rule of law as that no one is above and everyone is subject to the law, since this it is the smallest common ground to all definitions of this principle.

Detecting the Rule of Law in EU Law

The Union is founded upon certain values (Preamble of TEU, Weatherill, 2016). They are named in Article 2 TEU, notably the rule of law. Especially in the context of external relations, the EU is "guided" by the principle of the rule of law (Art. 21 TEU; Baere, 2008, p160). The task of the CJEU is to protect this principle (Art. 263 TFEU; Baratta, 2016). Moreover, the Council has the power under the requirements of Article 7 TEU to suspend certain

rights of a Member State, which is in serious and persistent breach of the values codified in Article 2 TEU. But not only the Treaties secure the principle, the CJEU affirms it too, stating that the EU is a "Community based on the rule of law" (1986, para23). The principle is also a crucial part of the accession policy, since it is a requirement under the Copenhagen Criteria (Council, 1993). Moreover, the principle "is at the heart of the accession process" (Commission, 2014, p2). The Commission reaffirmed this opinion in 2016 (Commission, 2016a).

Pointing only at a few documents, it is obvious that the rule of law is crucial in all facets of EU law.

Implications of the Deal on the Rule of Law

The EU or rather the Council clearly violated EU law. Therefore, the Council disregarded that it is subject to the law and hence disregarded the principle.

This alone would be serious enough, however a second point must be raised: the system of checks and balances. The Commission must ensure the application of the Treaties and measures adopted by the institutions pursuant to them (Article 17 (1) TEU). However, the Commission did not criticize the action of the Council. The same task would fall then to the CJEU (Article 19 (1) TEU). Yet, the GC (as part of the CJEU) decided that not the Council but the heads of state or government acted and that it lacked jurisdiction. Yet, the EP could use its political power (Article 14 (1) TEU) to bridge the gap. Notably, the Commission is responsible to the EP (Article 17 (8) TEU) and the Council exercises only jointly its legislative function (Article 16 (1) TEU). However, the EP "welcomes" the deal (EP, 2016a, para37). This proves that the institutions of the EU failed not only to comply with EU law but to monitor each other rigidly.

Saying this, a third concern can be raised: What is the moral standing of the EU regarding its relationship to Turkey? As stated above, the rule of law is important to the process of accession. In this manner the EP stated that it will only review its position (freezing of negotiations), if Turkey restored the rule of law (EP, 2016b). Moreover, the Commission accuses Turkey to "contradict(s) basic principles of the rule law" (Commission, 2016c, p18). As legitimate as the concerns may be, considering the above they do not sound convincing or genuine. The EU lost its legal and moral higher ground since the principle is not only a legal one, but also a value, a moral principle.

So, what is the worth of the rule of law? The definition that everyone is subject to and not above the law was taken as the smallest common ground. But the Council and the other institutions not even adhered to this narrow definition. It seems as the principle serves only as an empty phrase than as cornerstone of democracy – at least in times of troubles.

Conclusion

The EU-Turkey Deal is a triumph of the credo 'necessity needs no law'. While more than one million refugees sought shelter, the far-right rose, and a state on the south-eastern boarder offered its help, and an institution disregarded its own laws. Once negotiations on the deal began, Turkey presented its power, claiming that it would flood the EU with migrants. This pressurized the EU to keep not only the deal going, but also the accession negotiations - just like a doped runner who does not want to get "busted" and keep his gold medal at all costs. The price of the deal is not only a few billion Euro. The Union sacrificed its laws, its values, its system of checks and balances and the lives of humans, who have no chance to access human rights standards in the EU but must

persevere in a dictatorship. And so, 'necessity needs no law' becomes a policy which threatens the rule of law and the future of human beings. The EU will not win, because it already lost. Even with doping, the runner will not be the fastest because they never were. And that is why doping is bad. Necessity needs no law… What more reasons are needed to advocate the opposite?

References

Adam, Laura Batalla (2017) "The EU-Turkey Deal One Year On: A Delicate Balancing Act" The International Spectator (Vol. 52 No. 4) 44

Adam, Laura Batalla (2016) "The Refugee Card in EU-Turkey Relations: A Necessary but Uncertain Deal" Global Turkey in Europe (Working Paper 14) 2

Bacic, Nika (2012), "Asylum Policy in Europe – The Competences of the European Union and Inefficiency of the Dublin System" Croatian Yearbook of European Law and Policy (Vol. 8) 41, 42

Baere, Geert De (2008), *Constitutional Principles of EU External Relations* (Oxford University Press)

Barbulescu, Roxana (2017), "Still a Beacon of Human Rights? Considerations on the EU Response to the Refugee Crisis in the Mediterranean" Mediterranean Politics (Vol. 22 No. 2) 301, 307

Baratta, Roberto (2016), "Rule of Law 'Dialogues' Within the EU: A Legal Assessment" Hague Journal on the Rule of Law (Vol. 8 No. 2) 357, 358

Bowett, Derek William (1957), "Estoppel before International Tribunals and Its Relations Acquiescence" British Year Book of International Law (Vol. 33) 176, 201

Brown, Christopher (1996), "A Comparative and Critical Assessment of Estoppel in International Law" University of Miami Law Review (Vol. 50 No. 2) 369, 410

Capan, Zeynep Gulsah and Onursal, Ozge (2007), "Situating Turkey within the European Union" Perspectives on European Politics and Society (Vol. 8 No. 1) 98, 104

Çetin, Murat (2016), "The Impact of the European Union Accession Process on the Proliferation of Good Governance Practices in Turkey" Sosyoloji Konferanslari (Vol. 53) 389

Charlesworth, Hilary (2012), "Law-making and sources" in James Crawford and Martti Koskenniemi (eds), *International Law* (Cambridge University Press), 187

Court of Justice of the European Union (1971) C-22/70 *Commission v Council*

Court of Justice of the European Union (1975) Opinion 1/75, 11 November 1975, p1359

Court of Justice of the European Union (1986) C-23/86 *Les Verts v Parliament*

Court of Justice of the European Union (1993) C-181/91 and C-248/91

Court of Justice of the European Union (1998) C-162/92, para.42

Court of Justice of the European Union (2017a) T-192/16 *NF v European Council*

Court of Justice of the European Union (2017b) T-193/16 *NG v European Council*

Court of Justice of the European Union (2017c) T-257/16 *NM v European Council*

Council of the EU (2016a) *Statement of the EU Heads of State or Government*, 07/03/2016 (Press Release 807/16)

Council of the EU (2016b) *EU-Turkey statement*, 18 March 2016 (Press Release 144/16)

Crawford, James (2012), *Brownlie's Principles of Public International Law* (8th edn, Oxford University Press)

Cremona, Marise (2008), "Defining competence in EU external relations: lessons from the Treaty reform process" in Alan Dashwood and Marc Maresceau (eds), *Law and Practice of EU External Relations* (Cambridge University Press), 37

Dagi, Dogachan (2018), "EU's Refugee Crisis: From Supra-Nationalism to Nationalism?" Journal of Liberty and International Affairs (Vol. 3 No. 3) 9

Doocy, Shannon et al. (2015), "Internal displacement and the Syrian crisis: an analysis of trends from 2011–2014" Conflict and Health (Vol. 9 No. 33) 1

EC-Turkey Association Council (1995) Decision No 1/95 (96/142/EC)

Eeckhout, Piet (2011), *EU External Relations Law* (2nd Edition, Oxford University Press)

Eeckhout, Piet (2012), "The EU's Common Foreign and Security Policy after Lisbon: From Pillar Talk to Constitutionalism" in Andrea Biondi, Piet Eeckhout and Stefanie Ripley (eds), *EU Law after Lisbon* (Oxford University Press)

Erdemli, Özgül, (2003), "Chronology: Turkey's Relation with the EU" Turkish Studies 4

Eurostat (2013), News Release, STAT/13/48

Eurostat (2016) News release 44/2016

European Commission (2014) "Enlargement Strategy and Main Challenges 2014-2015" COM(2014) 700 final

European Commission (2015) EU-Turkey Joint Action Plan, MEMO/15/5860

European Commission (2016a) "Communication on EU Enlargement Policy" COM(2016) 715 final

European Commission (2016b) *Facility for Refugees in Turkey: over €1.4 billion in support of education and health for Syrian refugees,* (Press Release IP/16/2661)

European Commission (2016c) "Turkey 2016 Report" SWD(2016) 366 final, 6

European Community (1973) *Declaration on European Identity* (Copenhagen, 14 December 1973)

European Council (1982) "The Presidency's Conclusions on the Proceedings of the European Council" (Brussels, 29/30 March 1982)

European Council (1993) "Conclusions of the Presidency" (Copenhagen 21/21 June 1993)

European Council (1999) "Conclusions of the Presidency" (Copenhagen, 21/22 June 1999), para12

European Council (2005) Turkey 2005 Progress Report {COM(2005)561 final} (2005)

European Council (2017) "European Council conclusions, 19/10/2017" CO EUR 17 CONCL 5 (2017)

European Council and Council of the EU (2015) "Meeting of the EU heads of state or government with Turkey, 29/11/2015" Available from http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/29/ [accessed 29 November 2018]

European Council and Council of the EU (2016a) "Meeting of the EU heads of state or government with Turkey, 07/03/2016", Available from http://www.consilium.europa.eu/en/meetings/international-summit/2016/03/07/ [accessed 29 November 2018]

European Council and Council of the EU (2016b) "European Council, 17-18/03/2016", Available from http://www.consilium.europa.eu/en/meetings/european-council/2016/03/17-18/ [accessed 29 November 2018]

European Council and Council of the EU (2017) "5th African Union – EU Summit, 29-30/11/2017", Available from http://www.consilium.europa.eu/en/meetings/international-summit/2017/11/29-30/ [accessed 29 November 2018]

European Council and Council of the EU (2018a) "Remarks by President Donald Tusk following the EU-Turkey leaders' meeting in Varna" (26 March 2018) Available from http://www.consilium.europa.eu/en/press/press-releases/2018/03/26/remarks-by-president-donald-tusk-after-the-eu-turkey-leaders-meeting/ [accessed 29 November 2018]

European Council and Council of the EU(2018b) "EU-Turkey leaders' meeting in Varna (Bulgaria)" Available from http://www.consilium.europa.eu/en/meetings/international-summit/2018/03/26/ [accessed 29 November 2018]

European Council and Council of the EU (no date) "EU-Africa relations", Available from http://www.consilium.europa.eu/en/policies/eu-africa/ [accessed 29 November 2018]

European External Action Service (2017) "Remarks by High-Representative/Vice President Federica Mogherini at the joint press conference with Minister for Foreign Affairs of Malta George Vella" Available from https://eeas.europa.eu/headquarters/headquarters-homepage/25302/remarks-high-representativevice-president-federica-mogherini-joint-press-conference-minister_en [accessed 29 November 2018]

European External Action Service (2018a) *Factsheets EU-Libya relations* (22. Jan. 2018) (UNIQUE ID: 170125_11)

European External Action Service (2018b) *News Stories EUBAM signs a Memorandum of Understanding with the Libyan Ministry of Justice* (15. Feb. 2018)

European Parliament (2016a) "European Parliament resolution of 14 April 2016 on the 2015 report on Turkey" P8_TA(2016)0133 (2016)

European Parliament (2016b) "EU-Turkey relations" 2016/2993(RSP) (2016)

Foster, Peter (2016), "Turkey's Erdogan "taunted EU leaders" over migrant deal" *Telegraph* Available from http://www.telegraph.co.uk/news/worldnews/europe/turkey/12147167/Turkeys-Erdogan-taunted-EU-leaders-over-migrant-deal.html [accessed 29 November 2018]

Gerhards, Jürgen; Hans, Silke, (2011) "Why not Turkey? Attitudes towards Turkish Membership in the EU among Citizens in 27 European Countries" Journal of Common Market Studies (Vol. 49 No. 4) 741, 746

Greenhill, Kelly M., (2016) "Open Arms Behind Barred Doors: Fear, Hypocrisy and Policy Schizophrenia in the European Migration Crisis" European Law Journal (Vol. 22 No. 3) 317, 327-328

Greig, D. W. (1976), *International Law* (Butterworth)

Guzman, Andrew (2011), "The Consent Problem in International Law" (2011) Berkeley Program in Law and Economics, Working Paper Series 1

Havlová, Radka and Tamchynová, Kristýna (2016), "The Uncertain Role of the EU Countries in the Syrian Refugee Crisis" Insight Turkey (Vol. 18 No. 2) 85

Higgins, Rosalyn (1994), *Problems and Process International Law and How We Use it* (Oxford University Press)

Hollis, Duncan B. (2005), "Why State Consent Still Matters – Non-State Actors, Treaties, and the Changing Sources of International Law" Berkeley Journal of International Law (Vol. 23 No. 1) 137, 139

Hoffmeister, Frank (2008), "The Contribution of EU Practice to International Law" in Marise Cremona (ed), *Developments in EU External Relations Law* (Oxford University Press), 54

Human Rights Watch (2015) "Turkey: Syrians Pushed Back at the Border" Available from https://www.hrw.org/news/2015/11/23/turkey-syrians-pushed-back-border [accessed 17 May 2018]

Içener, Erhan, Phinnemore, David (2014), "Turkey and the EU: Looking Beyond the Pessimisms" Insight Turkey (Vol. 16 No. 3) 37

International Court of Justice (1962) *Case concerning the Temple of Preah Vihear (Cambodia v. Thailand), Dissenting Opinion of Sir Percy Spender, 15 June 1962, I.C.J. Reports 1962, p172-177*

International Court of Justice (1969) *North Sea Continental Shelf, Judgment, I.C.J. Reports 1969, p44*

International Court of Justice (1973) *Fisheries Jurisdiction (United Kingdom v. Iceland), Jurisdiction of the Court, Judgement, I.C.J. Reports 1973, para. 36*

International Law Commission (2016) *Report on the work of the sixty-eighth session (A/71/10),* p76-77

International Organization for Migration (2017a), *Global Migration Trends 2015 – Factsheet*

International Organization for Migration (2016) *Compilation of Available Data and Information – Reporting Period 2016*

International Organization for Migration (2018a) *Migration Flows to Europe 2017 Overview*

International Organization for Migration (2017b) *World Migration Report 2018* (International Organization for Migration 2017)

International Organization for Migration (2018b) "Mediterranean Migrant Arrivals Reach 106,269 in 2018; Deaths Reach 2,119" (25 November 2018) Available from https://www.iom.int/news/mediterranean-migrant-arrivals-reach-106269-2018-deaths-reach-2119 [accessed 29 November 2018]

Joffé, Geroge (2011), "The Arab Spring in North Africa: Origins and Prospects" The Journal of North African Studies (Vol. 14 No. 4) 507, 508

Kaczorowska-Ireland, Alina (2016), *European Union Law* (4th edn, Routledge)

Kaczorowska-Ireland, Alina (2015) *Public International Law* (5th edn, Routledge)

Kahraman, Sevilay Elgün (2000), "Rethinking Turkey-European Union Relations in the Light of Enlargement" Turkish Studies (Vol 1 No. 1) 1

Kaijun, Pan (2018), "A Re-Examination of Estoppel in International Jurisprudence" Chinese Journal of International Law (Vol. 16 No. 4) 751

Kambas, Michele and others (2016), "Turkey's Erdogan threatened to flood Europe with migrants: Greek website" *Reuters* Available from https://www.reuters.com/article/us-europe-migrants-eu-turkey/turkeys-erdogan-threatened-to-flood-europe-with-migrants-greek-website-idUSKCN0VH1R0 [accessed 29 November 2018]

Kirisci, Kemal (2016), "Turkey's Role in the Syrian Refugee Crisis" Georgetown Journal of International Affairs (Vol. 17 No. 2) 80, 82

Klabbers, Jan (1996), *The Concept of Treaty in International Law* (Martinus Nijhoff Publishers)

Kugiel, Patryk (2016), "The Refugee Crisis in Europe: True Causes, False Solutions" The Polish Quarterly of International Affairs (No. 4) 41

Kuijper, Pieter Jan et al. (2013), *The Law of EU External Relations* (Oxford University Press)

Lambert, Hélène (2017), "Temporary Refuge From War: Customary International Law and the Syrian Conflict" International and Comparative Law Quarterly (Vol. 66 No. 3) 723, 737-738

Lauterpacht, Hersch (1970), "International Law – The General Part" in Elihu Lauerpacht (ed), *International Law* (Vol. 1, Cambridge University Press), 9

Lenski, Edgar (2006), "Turkey (Including Northern Cyprus)" in Steven Blockmans and Adam Łazowski (eds), The European Union and Its Neighbours A legal appraisal of the EU's policies of stabilisation, partnership and integration (T. M. C. Press), p283

Letsch, Constanze; Rankin, Jennifer (2016), "EU-Turkey visa deal on brink as Erdogan refuses to change terror laws" *The Guardian* Available from https://www.theguardian.com/world/2016/may/06/erdogan-turkey-not-alter-anti-terror-laws-visa-free-travel-eu [accessed 29 November 2018]

Lister, Matthew (2011), "The Legitimating Role of consent in International law" Chicago Journal of International Law 663

MacGibbon, C. (1958), "Estoppel in International Law" International & Comparative Law Quarterly (Vol. 7 No. 3) 468

Odermatt, Jed (2017), "The Development of Customary International Law by International Organizations" International & Comparative Law Quarterly (Vol. 66 No. 2) 491, 505

Okyay, Asli; Zaragoza-Cristiani, Jonathan (2016), "The Leverage of the Gatekeeper: Power and Interdependence in the Migration Nexus between the EU and Turkey" The International Spectator (Vol. 51 No. 4) 51, 63-64.

Oltermann, Philip (2017), "Erdoğan accuses Germany of 'Nazi practices' over blocked political rallies" *The Guardian* Available from https://www.theguardian.com/world/2017/mar/05/erdogan-accuses-germany-of-nazi-practices-over-blocked-election-rallies [accessed 29 November 2018]

Oppenheim, Lassa (1955), "International Law A Treatise" in Hersch Lauterpacht (ed), *International Law A Treatise Vol. I – Peace* (8th Edition, Longmans)

Ozkan, Sarah Fox (2011), "Turkish-EU Relations And The Prospects For Turkey's Accession" Lyndon B. Johnson Journal of Public Affairs 43, 45-46

Permanent Court of International Justice (1927) *The Case of the S.S. "Lotus" (French Republic v. Turkish Republic), Judgment, Publications of the Permanent Court of International Justice 1927, p18*

Permanent Court of International Justice (1923) *Exchange of Greek and Turkish Populations (Greece v. Turkey), Advisory Opinion, Publications of the Permanent Court of International Justice 1923, para52*

Pierini, Marc (2016), *In Search of an EU Role in the Syrian War* (Carnegie Endowment for International Peace)

Pierini, Marc (2017), "Four Steps to an EU-Turkey Reset" Carnegie Endowment for International Peace

Rein, Conrad (2017), "The Prospects for the Future of European Union – African Union Relations in Uncertain Times" European Review (Vol. 25 No. 4) 550

Rubin, Alissa J. (2017), "Erdogan Calls Dutch 'Nazi Remnants' After Turkish Minister Is Barred" *The New York Times* Available from https://www.nytimes.com/2017/03/11/world/europe/turkey-netherlands-ban-referendum.html [accessed 29 November 2018]

Sakbani, Michael (2011) "The revolutions of the Arab Spring: are democracy, development and modernity at the gates?" Contemporary Arab Affairs (Vol. 4 No. 2) 127

Shaw, Malcolm N. (2017), *International Law* (8th Edition, Cambridge University Press)

Tekşen, Faruk (2017), "Thorny Relations with the EU under AK Party Rule: Challenges and Prospects" Insight Turkey (Vol. 19 No. 2) 115

Tomuschat, Christian (2016), "The Relationship between EU Law and International Law in the Field of Human Rights" (2016) Yearbook of European Law (Vol. 35 No. 1) 604

Tunaboylu, Sevda; Alpes, Jill (2017), "The EU-Turkey deal: what happens to people who return to Turkey?" Forced Migration Review (Vol. 54) 84

Ulusoy, Kivanc (2007), "Turkey's Reform Effort Reconsidered, 1987 – 2004" Democratisation (Vol. 14 No. 3) 472, 481

United Nations General Assembly, (1949) Res 375 (IV

Üstün, Çiğdem (2017), "Can EU Act as a Democracy Promoter? Analysing the Democratization Demand and Supply in Turkey-EU Relations" Romanian Journal of European Affairs (Vol. 17 No. 1) 85, 91

Vasile, Sergiu Adrian (2015), "The European Union Refugee Crisis – A General Description Of The Phenomenon And Its Implications On Long-Term Architecture Of The European Legislation" Journal of Criminal Investigations (Vol. 9 No. 2) 119

Watson, J. Shand (1992), "State Consent and the Sources of International Obligation" American Society of International Law Proceedings (86th Meeting) 108

Weatherill, Stephen (2016), *Law and Values in the European Union* (Oxford University Press)

13

QATAR: HOW AN INDEPENDENT FOREIGN POLICY LED TO ISOLATION

Jonathan Miseroy

Introduction

Nestled between two titans, the Kingdom of Saudi Arabia (KSA) and the Islamic Republic of Iran;, the small, rich, country of Qatar has striven to ensure its survival through an evolving foreign policy, with alliances both near and afar. This paper will analyse and interpret the moves in Qatar's foreign policy that ultimately led to the 2017 Saudi -led blockade of the country, constituting the most significant diplomatic crisis in the region since the founding of the Gulf Cooperation Council in 1981. By exploring the key historical events that led to the souring of relations between the KSA and it is allies, Bahrain, Egypt and the United Arab Emirates (onwards as the Quartet) and the small nation of Qatar. I will argue that Qatar's years of foreign policy of balancing and hedging under Sheikh Hamad, and now his son Tamim through the use of Subtle power has led the country to isolate itself from its previous regional allies.

This article has three sections. The first is an analysis of the role of power in international relations theory. I will discuss John J Mearshimer's notion of hard power, Joseph Nye's theory of soft power, and Mehran Kamrava's idea of 'subtle power', relating each of these to the current geopolitical crisis in the Arabian Gulf. I will also look at Raymond Hinnebusch's notion of a failed regional hegemon, which looks at the failures of various countries in the Middle East to attain it. The efforts by the Quartet to rebalance power away from Iran and its allies should be seen in this context as it shows the complex state of foreign policy within the Middle East since 1995. It is vital to understand Qatar's relations with the KSA as it has aligned itself politically with the KSA, however, with the more progressive and open view to Iran, these relationships with the KSA are beginning to fall apart. Secondly, I will look at Qatari foreign policy and actions undertaken by the nation's government, starting with its independence from Great Britain in 1971. This will enable a more in-depth understanding of the events that unfolded in 2017. The third section will include my analysis of the blockade and the developments involved in.

Methodology

To correctly identify the reasons for the blockade, this article will use qualitative research methods. The literature review will allow gaps in current literature to be identified. We will apply Kamrava's theory of power using a mixture of qualitative and quantitative research to be able to understand how Qatar became what he calls a 'subtle power' in the Middle East. However, some of the events that are important to understanding this concept have occurred since his book's publication in 2015. By discussing principal historical events occurring since independence from Britain in 1971, I will mark out the critical points in Qatar's history that have led to the current geopolitical crisis. In the final section I will use the 13-point ultimatum given by the Arab Quartet, along with Mehmetcik's concept of hedging, Hinnebush's of failed regional hegemons, and the concept of subtle power to help to understand the diplomatic rift.

Literature review

The Arabian Gulf is an extremely volatile region of the world: each country has their own unique national identity, and the long road to statehood for nations such as the KSA, Qatar, Bahrain, and the United Arab Emirates (UAE) have led to subtle yet significant diplomatic rifts.

One of the difficulties in researching Qatar is a lack of English language literature. Academic texts by Fromherz and Kamrava are foundational, as both scholars have written extensively on Qatar; however, I will be relying mainly on the theoretical frameworks by writers such as Mearsheimer, Nye, Hinnebusch and others. When looking at major historical events since the formation of the modern Qatari State, I will be using the work of Fromherz, who in his book provides a good understanding of the difficult foreign policy decisions by Qatar's leaders.

Fromherz (2017) looks at how Qatari geography has influenced statecraft and foreign policy. The country shares a land border with the KSA and the largest natural gas field in the world with Iran. Consequently, Qatar's foreign policy has involved engaging in what Mehmetcik (2015) calls hedging. Hedging is defined as the spreading of risk by pursuing conflicting strategies towards different states (Mehmetcik, 2015). The activity of hedging requires taking separate approaches to different regional powers to ensure a positive relationship between said states. Use of this approach can overlap with the Realpolitik approach to international relations.

When analysing the reasoning behind the blockade, it is crucial to grasp relevant concepts of power and how Qatar can be classified in these terms. Mearsheimer's theory of hard power has been seminal to the field of power politics. Mearsheimer attributes hard power to two factors: the size of the population, and a state's wealth, which together determine whether a country can become a great regional power. With a small population, there is less room to develop a robust military (Mearsheimer, 2001). Although Qatar's GDP per Capita is the highest in the world (World Bank, 2017), its population is small. Other countries in the region that do meet the requirements include the KSA, Egypt, and Iran. As the concept of hard power does not explain Qatar's importance as a player in the region, it is worth considering Nye's concept of soft power. Soft power looks less at physical resources and places more value on "institutions, ideas, values, culture and the perceived legitimacy of culture" (Nye, 2004). The argument is that in the post-Cold War world there is less need for hard power politics. Instead, countries use "international institutions to co-opt rather than coerce, and countries are more likely to build strong relations" (Nye, 2004). Nye's concept of Soft Power makes more sense when looking at Qatar; however, it misses out on the underlying reasoning for Qatar's success.

In his book *Qatar: Small State, Big Politics*, Kamrava (2011, 2015) identifies four critical elements of "subtle power": physical and military protection by ensuring that the country has protection from outside forces such as the US and Turkey. Marketing and branding efforts, with the use of news agencies such as Al-Jazeera and its affiliates in the region to ensure that its public image is pristine. Diplomacy and international relations, by using the tactics of diplomatic hedging to engage with both state actors such as Iran, and non-state actors such as the Muslim brotherhood, Qatar uses diplomacy to ensure that despite their small size, they still have influence in the region. Finally, Kamrava discuses purchases and global investment, Qatar uses purchases and investment in countries such as the United Kingdom or United States to ensure that they can lobby governments due to their large investment within said governments private sectors. Qatar uses subtle power to mesh together components of hard power from external states such as the US and Turkey to protect their smaller military, while also using the diplomatic approaches that Nye's soft power discusses.

Other scholars (e.g., Carlstrom, 2017; Malsin, 2017) have identified Qatar's state-run news agency as a critical conflict point between Qatar and its neighbours prior to the blockade, this is due to Al-Jazeera's reputation of reporting with a 'no holds barred' style of journalism. Al-Jazeera's renegade style of journalism reports on atrocities from within other Arab states with no censorship, unlike other stations within the region. Due to Al-Jazeera's continued reporting of atrocities and uprisings in an unbiased uncensored fashion, the Arab Quartet specifically requested the shutting down of the network.

In his book, Kamrava speaks about the importance of hedging for Qatar's foreign policy, a claim that is also made by Maaike Warnaar in an essay on bridging the divide between Iran and the GCC. In 2014, three members of the Quartet withdrew their ambassadors from Doha due to the support of "organisations or individuals that threaten the security of the Gulf states" (Warnaar, 2016); that is terrorists. In the case of Qatar, this is evident in its foreign policy, in terms of its relationships to Iran and Turkey, and internally with relation to Islamist scholars. This hedging is against the wishes of KSA, which would prefer that Qatar align closely with it rather than placing 'bets' with other regional powers.

Buzan and Weaver explore the importance of global great powers, and the relationships they build with regional powers to influence the architecture of the world (Buzan and Weaver, 2003). Hegemons assert their dominance of a region by excluding or undermining other powers within it (Nolte, 2010). In the quest for regional hegemony, actors will seek to prevent penetration by great external powers, which would undermine their sovereignty and autonomy within the region (Murdan, 1995). Regional powers will exploit rivalries between regional hegemons and significant international powers.

Raymond Hinnebusch's article expands on this concept of balancing by exploring Iran's failed attempt to expand its territory and become the regional hegemon after the 1979 revolution; looking at the Iran/Iraq war (2013). The creation of the GCC as a balance against Iranian hegemony was critical, as Hinnebusch argues. However, he does not examine the transitional period after the Arab Spring. The importance of the Arab Spring is that Qatar began, at that time, to hedge and balance within the region. The KSA began a bid for regional hegemony after Turkey's failed attempt in the 2000s. Turkey is "the largest state in the region, concerning material indicators such as territorial size, population, GNP, and military expenditures and as heir to the most developed institutions of the ex-Ottoman empire" (Hinnebusch, 2013). Therefore, the presence of the Turkish military on the Qatari border has always been a contentious topic for the Saudi Arabian regime. Qatar's attempts to strengthen safety and security can explain the reasoning behind Qatar's relationship with Turkey, and can help us understand why the KSA, which has also made attempts at regional hegemony, would disapprove of Turkish bases being so close to its territory. Elman (1995) argues that smaller countries rely on powerful local neighbours for protection. Along with the Turkish military presence, the al-Udeid air force base located in Qatar functions as the US's leading air force base outside of the continental US (AJ, 2017).

Although Dargins's exploration of the North Field/South Pars gas reserve which is Qatar's main source of Liquified Natural Gas (LNG) and its influence on Qatari policy is over ten years old (2007), the importance of liquified natural gas to Qatar's foreign policy is still evident today. Qatar currently has the highest production output in the world for LNG, and the country's ties to buyers around the world gives it autonomous control over its own income. By using this economic autonomy, the Qatari government now play an important role in regional politics. Looking at the work of Ulrichsen, (2014) Dickinson, (2014) and El Ashmawy (2014) is imperative when talking about mediation and Qatar, at the time of their writing Qatar was playing an extremely active role within the Middle

East. The general consensus of the authors was that Qatar would end up in hot water with regional powers due to their overly active foreign policy. Using Kamrava's concept of the good global citizen, we can see that mediation backfired in the Qatari case, it is, therefore, vital to take this into account during the analysis part of this article.

Historical Analysis

The events that culminated in the Saudi-led quartet's blockade may be said to have begun with the bloodless coup-d'état of 1995. However, I will take the achievement of independence from the British empire in 1971 as the starting date for an historical analysis. I will look at crucial moments that have caused friction between Qatar and its neighbours after independence, and how they led to the blockade.

The year 1972 was foundational to the progress of modern Qatar. Sheikh Khalifa, grandfather of the current Emir of Qatar, deposed his cousin Ahmad, and transferred the line of succession to Khalifa and his children. This deposition was supported by the Saudi Arabian government, which sent troops to the southern border of Qatar to ensure that Ahmad could not return with a personal army (Fromherz, 2016). Relations between Qatar and the KSA were stable during the reign of Khalifa, as the Saudis did not see him as a threat to their power. Indeed, Khalifa set out to nationalise the country's industries rather than trying to reform its foreign policy (Fromherz, 2016).

Over the next 23 years, the Qatari government had a number of territorial disputes with Bahrain. This was due to the proximity of the two countries, along with the wandering nature of the gulf tribes across both countries. Relations soured in 1982 when "a group of Bahrainis wrote 'Bahrain' on the Zubara fort during a field trip. Zubara is located in the north of Qatar which previous to Colonel Pelly signing the state of Qatar over to Mohammed was owned by the Bahrani royal family which explain the significance of the fort. Bahraini and Qatari relations deteriorated over the disputed Hawar Islands" (Fromherz, 2016). Again in 1986, relations between the countries deteriorated further due to territorial disputes over a coral reef named Fasht al-Dibal. The Iranian government supported Qatar's claim to the islands, while its troubled relations to Bahrain came to a standstill. Relations were normalised only in 2001, when the International Court of Justice heard the case of the islands Zubara and Hawar between the two countries. Zubara was awarded to Qatar, and Hawar and the other coral reefs off the coast to Bahrain (E. Wiegand, 2012).

The amicable relationship of Saudi Arabia and Qatar under Khalifa's reign came to an end with the bloodless coup of 1995. Sheikh Hamad had long enjoyed the support of the Qatari military, and as Commander-in-Chief of the Armed Forces, was able to win support from generals. He later used this support to depose his father while the latter was on holiday in Geneva (Fromherz, 2016). Sheikh Hamad's admiration for the values of Pan-Arab nationalism put him at odds with the Saudi Arabian regime's theocratic hard-line rule. Hamad, recounting his admiration for the "Pan-Arab era of Egyptian President Gamal Abdel Nasser, once described himself as a 'Nasserist'."(Reuters, 2013). This meant that the Saudis subjected his rule to scrutiny from the beginning. The Saudi government opposed the bloodless coup of 1995, and reports of Bahraini and Saudi involvement in the 1996 counter- coup surfaced in 2000. "Witnesses, including Qatar's prime minister and foreign minister, alleged in court that the suspects had foreign backing for the 1996 bid, pointing a finger of blame at Bahrain and saying the KSA was aware of the plot" (BBC, 2000).

Sheikh Hamad's introduction of Al-Jazeera has been seen as a turning point in Qatari foreign policy, with scholars such as Kamrava and Fromherz (2016; 2016) attributing to the network the foundations of Qatar's subsequent

projection of soft power in the region. The creation of a state-run media that is critical towards other Arab heads of state has meant that the station has dealt with over twenty years of scrutiny from countries such as Saudi Arabia, Bahrain, the UAE, and Egypt.

The US's relationship with Qatar dates from the latter's independence from the UK. Until 2003 the US held its Central Air Force Command for the region within the borders of the KSA. Its long relationship with the US held the most prominent place in the region. However, there were threats from within KSA from non-state actors such as Al-Qaeda, which decreed a Fatwa stating its "Declaration of War against the Americans Occupying the Land of the Two Holy Places" (PBS, 1996). The US chose in response to swiftly withdraw its troops and move them to another country nearby. The use of Qatar's strategic location by the US during the Gulf War eventually led to the building of Al-Udeid Airbase, which now holds the most significant US air force presence outside the continental US. By giving the US Air Force territory from which to conduct its operations, Sheikh Hamad was able to increase Qatar's position in the region through soft power, by co-opting the United States to provide military protection to the state, this falls into Kamrava's military and protection pillar (2015). Qatar's population during this strategic move was 688,586, only 26.9% of its current 2.57 million (Trading Economics,2018). In terms of Mearsheimer's (2001) pillars of hard power, Qatar lacked the population size to become a hard power. But soft power and its ability to co-opt other countries to ensure stability and safety of smaller states as conceived by Joseph Nye, fit well with the Qatari strategy of power creation. By allowing the presence of US forces within the borders of Qatar, Sheikh Hamad gave himself external legitimacy. Kamrava's pillar of military protection ensures that other states with larger militaries cannot invade Qatar when it does not stick to the status quo of the GCC and instead looks to be more independent.

The Arab Spring was a turning point for a number of countries in the Middle East and North Africa. The last successful revolution in the Middle East had been the Iranian Revolution, which ushered in the Islamic Republic of Iran and shook the status quo in the region, showing ordinary citizens in Arab countries that they could overthrow autocratic regimes. This was echoed during the Arab Spring, when dictators who previously had a tight and long grip on power were being toppled by the power of the people. Tunisia, Libya, Egypt, and Syria all had their leaders deposed. The Qatari government played an active role in supporting opposition parties in Egypt and rebels in Syria and Libya. The importance of Al-Jazeera in the Arab Spring has been explored by Sultan, Khondker, and Bosio (2011, 2014, 2016). Various authors describing the events tend to use the same concepts and ideas though with different analyses. Al-Jazeera was seen as a reliable and mostly uncensored source of news for at least 40 million people across the world (Allied Media, 2018). By reporting the scale of the Arab Spring, Al-Jazeera and Qatar were seen as together constituting "a powerful catalyst for change in the Arab world, winning armies of supporters of all ages in a relatively short period" (Sultan, 2014). Sultan notes that while Al-Jazeera did not publicly call for revolution, it presented the possibility of a different direction in the region by allowing disenfranchised guests from around the region to speak their minds. It criticized various Arab regimes, and sometimes encouraged revolt against the dictators who until then had held power so tightly (Sultan, 2011). The Qatari government also actively took part in the funding of revolutionary parties in Libya and sent hundreds of troops to that country during its revolution (Black, 2011). In actively supporting regime change in the Middle East, Qatar's dramatic shift away from the policies of Khalifa was apparent. Its involvement in the affairs of other countries in the region was worrisome to other states, including the KSA, Bahrain, and the UAE. Qatar's full support for the Muslim Brotherhood's Mohammed Morsi after the overthrow of Hosni Mubarak in Egypt indeed worried Gulf states that opposed the Brotherhood, and after Abdel Fattah el-Sisi seized power in Egypt, relations between Qatar and

Egypt turned sour. Under Sisi, Egypt quickly looked to tie both Al-Jazeera and Qatar to espionage cases (BBC, 2015; Middle East Monitor, 2017).

Finally, the ascension in 2013 of Tamim bin Hamad to the position of Emir of Qatar has been contested, by the members of the Quartet and particularly the KSA. They expected the young Emir to fall in line with the foreign policies of other Gulf and Arab states. For his part, "Tamim has been critical of Jassem's provocative diplomacy toward Qatar's Arab neighbours, particularly Saudi Arabia. Essentially, Tamim considers rivalry with Saudi Arabia unproductive" (Dazi-Héni, 2014). Tamim in fact shifted from Hamad's more pragmatic, open, and mediatory foreign policy to a more domestic-based agenda that echoed that of his grandfather, Khalifa. Countries such as the KSA, Bahrain, and the UAE still see Tamim as little more than a carbon copy of his father, with the KSA in particular doubting his control of the country (Henderson, 2017). The KSA, Bahrain, and the UAE withdrew their ambassadors in 2014, and claimed to do because Qatar had not signed a pact of 'non-interference'. Such an agreement was in fact concluded and ratified in November of the same year (Fromherz, 2017). Qatar's attempts to secure its own sovereignty were questioned by the other powers in the region as attempts to upset the status quo. In the analysis that follows, I will be exploring the 13 points of change that the Arab Quartet requested as shown in appendix IV, and how they align with Kamrava's concept of subtle power in light of Qatar's history.

Final Analysis

In the following discussion, I will focus on Mehran Kamrava's concept of subtle power to provide a framework. The Quartet issued the Qatari government 13 demands for reform that it would have to accept for the blockade of 2017 to be lifted. Using Kamrava's framework, I have divided these demands into five categories: marketing and branding efforts, physical and military protection, purchases and global investment, diplomacy and international relations, and other demands falling outside these categories. Together these demands were little more than a demand that Qatar end its quest for an independent foreign policy in the region by balancing and hedging between regional rivals. In what follows, I will analyse the reasoning behind each request. I will refer to data presented in the Appendix.

The first feature of subtle power that I want to discuss is physical and military protection. My brief discussion above of the history of Qatar since its founding provides some of the reasons for the importance to this country of military protection by the external forces of allied nations. Qatar is a small state nestled between two large regional powers, with a population of only 2.5 million people, only 12% of whom are actually of Qatari nationality, and so eligible for military service (Snoj, 2017). Thus, the country does not have a large standing army. Currently the country has roughly 12,000 men in active service in the military. On military grounds alone, it is not and cannot be a regional power. Hard power requires large populations to powerful and robust militaries, Qatar arming and investing in its military is all well and good, however it would still be shadowed by its neighbours. Appendix III shows the disparity in this regard between Qatar and the region's hard powers. Instead of focusing on developing its own military to ensure its safety, Qatar's approach essentially rents out its strategic location within the Middle East to the highest and most powerful bidders. As the small state is located in the middle of the Arabian gulf, the US air force can and have conducted campaigns out of Qatar for missions of importance in; Iraq, Afghanistan and Syria since the opening of the base (Brimelow, 2018). In exchange for its geographical location the US ensures

that none of Qatar's larger neighbours violate the states sovereignty. Essentially allowing it to conduct its own affairs independent of influence.

Qatar's first foray into outside protection was the opening of Al-Udeid Airbase. The capacity of this base is 10,000 people and is, as mentioned, the largest US Air Force presence outside of the continental US (Brimelow, 2018). Despite opposition in the region—for example, in 2017 the UAE's Foreign Minister asked the US to move its base outside of Qatar (Lederman, 2017)—the Qatari government has looked to expand its bilateral ties with the US by developing more housing on the base, the US air force can station more personnel within Al-Udeid thus strengthening and protecting its position in the region so it can focus its energy on diplomacy (Brimelow, 2018). The Quartet also has called for the closing of the Turkish Base in Qatar. As Turkey is both a regional power and a member of NATO, there has long been conflict between Turkey and the region's Arab states. Using the concept of regional hegemony in the Middle East, Hinnebusch describes the attempts by Turkey to become a regional power, and how these efforts clash with the interests of the "hard powers" (KSA, Iran, and Egypt). With Turkey's close ties to Iran, especially in the context of the recent Iran nuclear deal where Turkey played a key role as a negotiator Iran and the US. During these negotiations the Obama administration kept KSA out of the negotiations, instead favouring Istanbul's closer ties to Tehran. There is no question that the Quartet, and especially the KSA, see the presence of a Turkish base in the Gulf as a threat. As Qatar pivot to a pro-Iranian ally, KSA begin to see a threat to their hegemony within the region. By requesting to close down the Turkish base in favour of alignment with the Quartets wishes, KSA and the Quartet are seen as trying to severe Qatar's ties to other countries that do not fit its Pro-Saudi network.

Next, I look at branding and marketing. Here, Al-Jazeera (AJ) is paramount; its news has played an extremely important role in the Gulf region since its inception in 1996, with "subtle power" highlighting its significance. Not surprisingly, AJ's role as a mouthpiece for disenfranchised youth across the Middle East during the Arab Spring caused the AJ organisation to find itself in some hot water. All of the Quartet countries have had issues with AJ in the past; for example, during and after the Egyptian revolution AJ was portrayed as supporting the Muslim Brotherhood and its ambition of taking power in Egypt. With the removal of Morsi from power, 20 AJ journalists were arrested for the supposed spread of fake news, causing damage to the Egyptian government (Kingsley, 2014). The UAE, Bahrain, and the KSA all have a long history of expelling AJ journalists from within their countries. However, when news broke, in early May of 2017, of Sheikh Tamim's allegedly supporting Iran by recognising its importance as an Islamic power, all of the countries in the region banned the news organisation. The Qatari government, rather than defending the news stories, blamed them on hackers. The blanket banning of AJ by the Quartet nations was no surprise. The organisation was one of the few international news broadcasters to have reported unfavourable stories about other gulf states. Kamrava attributes to AJ an important role in Qatar's international image, and it is no surprise that the Quartet would rather it be shut down. Along with AJ, the Qatari government invests heavily in news outlets in the Middle East. As a result of this, in the region "the relationship between size, power, and influence is crumbling, as critical observers start to point to a range of alternate tools" (Eggeling, 2017). Shutting down the station would mean that the Qatari government could no longer have it as a tool to confer on itself power and legitimacy within the region.

The list of demands by the Quartet were a response to both Qatar's diplomatic relations (appendix IX) with other countries and the existence of opposition parties across the Arab world. Some of the demands are unrealistic, such

as requesting Qatar to scale down its ties with Iran, as this would jeopardise Qatar's abilities to continue being self-sufficient in regard to its resource extraction. It also suggested to the Qatari government a belittling of its own need for sovereignty. The North Field/South Pars (NF/SP) gas deposit is the largest known natural gas field in the world and is shared by Iran and Qatar. This has long meant that the Qatari government has had to maintain a peaceful if sceptical relationship with Iran. This relationship is part of what Kamrava and Mehmetcik (2015, 2016) describe as a hedging strategy. "Qatar's oil and gas policies are especially critical elements in its relations with Iran and the KSA, and the sharing of the NF/SP leaves open the chronic possibility of friction. (Dargin, 2007). To scale down relations with Iran would lead to economic disaster. By looking at the location of the NF in appendix V, the ramifications become clearer. Iran's Maritime border goes directly through the centre of the gas field meaning that the Qatari government must continue. Writers such as Robin Mills (2017) have correctly identified that Qatar has long been looking towards Iran for help to establish a gas pipeline to Europe as previous attempts to go through KSA and up to Syria have fallen through. Iran's good relationship with Syria therefore enables better access to European markets.

The Qataris have long been trying to reposition themselves in the region, by trying to diminish Saudi Arabian influence, but these efforts backfired in opening them to scrutiny from a power much greater than themselves. Allegations were made towards the Qatari citizens' involvement in terrorist groups in the region. "Hillary Clinton stressed that donors in the KSA, Qatar, Kuwait and the UAE were the most significant source of funding for Sunni terrorist groups around the world" (Wikileaks, 2009). By looking at Qatar's relationship with the Muslim Brotherhood, we can perhaps better understand its approach to interacting with other non-state actors. Kamrava describes Qatar's relationship with the Brotherhood as one of the smaller bets in its larger hedging strategy (2016). The asylum given to Yusuf al-Qarawdi is one of the most notorious examples of a fugitive being harboured who was wanted by another country. The Egyptian government would like Qarawadi to be returned to Egypt to be put on trial, but Sheikh Hamad and now Tamim have not called for the repatriation of Qarawadi. Kamrava attributes this hedging as an attempt to stem the emergence of home-grown Islamist movements (Kamrava, 2016). By allowing radical Muslim clerics such as Qarawadi to express their views openly to the world, the Qataris have run afoul of both religious and political criticism from the Quartet.

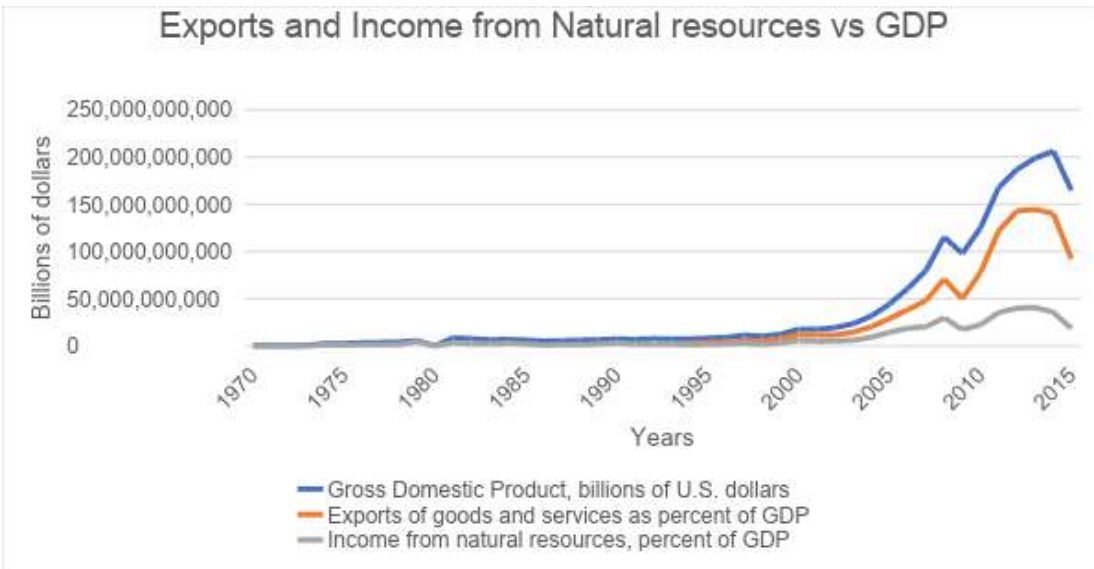
Other demands from the Quartet can be seen as efforts to limit Qatari financial and political freedom. These include a demand for reparations from Qatar for the supposed loss of life that Qatar has caused within the other Quartet countries. This is one of the most absurd points as there is no evidence that Qatar has been involved in the loss of life of any such civilians. The Quartet have also requested intrusive measures, with monthly audits by the Quartet, essentially asking Qatar to sign away any private information in regard to how it conducts its state policy. It is no real surprise that Sheikh Tamim has been quoted as saying, "Our sovereignty is a red line. We don't accept anybody interfering our sovereignty" (Al-Thani, 2017). Interfering in Qatar's sovereignty in this case means turning back the clock to the times before Sheikh Hamad, where the Qatari's foreign policy paralleled KSA. This is of course impossible now due to the complex relationships that the Qatari government have created. If Qatar were to revert to the status quo previous to Sheikh Hamad, they would essentially become little more than a province of KSA.

Conclusion

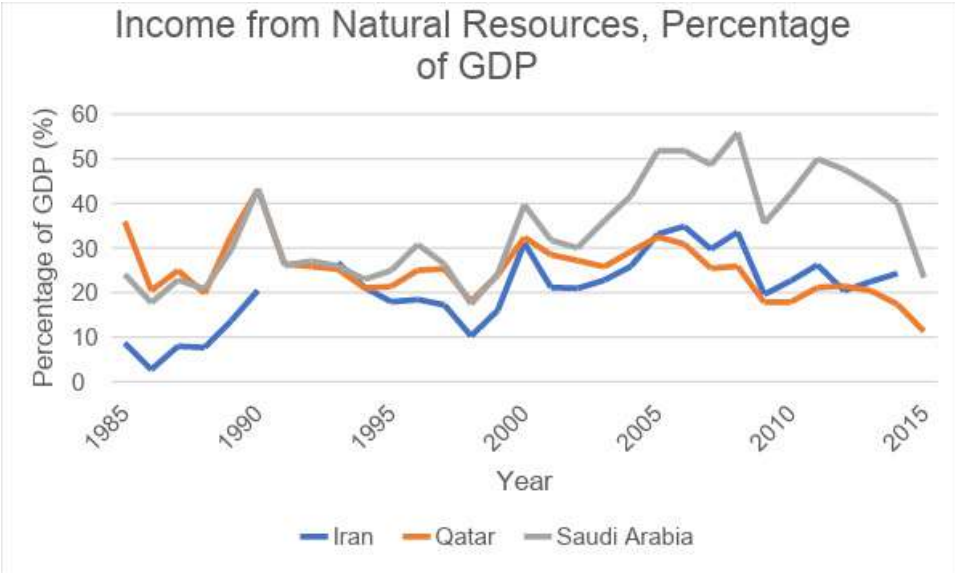
I have described the trajectory followed first by Sheikh Hamad, and later his son Sheikh Tamim, regarding Qatar's international and domestic affairs in the region. The bloodless coup of 1995 put Qatar on a path of independence from Saudi Arabian influence. Major points in Qatar's foreign policy support since then lend support to Kamrava's concept of subtle power. There is a clear correlation between Sheikh Hamad's innovative foreign policy and the souring of relations between Qatar and the Quartet. Sheikh Tamim's ascension to the throne in 2013 brought hope to the KSA and the rest of the Quartet that the Qatari government would cease its unfavourable foreign policy, and align itself with Saudi and their regional goals, which would have effectively made it a vassal state; but this did not happen. Sheikh Tamim has continued to follow in his father's footsteps, which has caused the Quartet states to wonder if his father is still in control of Qatar's trajectory. The strongest sign of the Quartet's wish to control Qatar are the hypocritical demands it set out. Kamrava's concept of "subtle power" with its four principal features enables us to decipher within the 13 points the true aim of the blockade. Also, Hinnebusch's (2013) analysis of previous quests for regional hegemony provides insight into the current efforts of the KSA. During Obama's Presidency, the KSA was not given the same special treatment that it had long received. President Obama's move to bring Iran out of the cold clashed directly with KSA's aspirations in the region as a they are a direct rival. Qatar's policy of hedging, in particular it's move towards normalising relations has led to the most significant diplomatic crisis in the Gulf since the inception of the Gulf Cooperation Council in 1981. However, the Quartet's demands for a less outwardly independent Qatar are unlikely to be met in the short term.

Appendices

I GDP vs Income from Natural resources (Qatar) - Data from https://www.theglobaleconomy.com [Accessed 18/03/18]



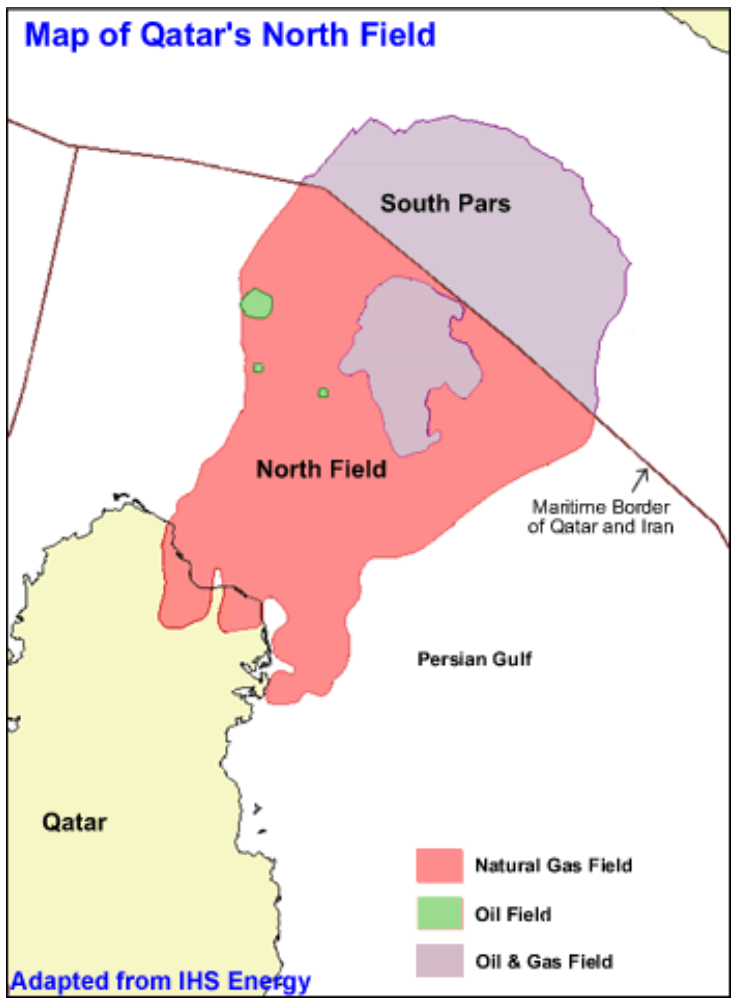
II Income from Natural Resources, Percentage of GDP (Iran, SA, Qatar) - Data from https://www.theglobaleconomy.com [Accessed 18/03/18]



III Active Military (Iran, SA, Qatar, Turkey) - Data from http://www.globalfirepower.com [Accessed 18/03/18]

IV – The Arab Quartets 13 Demands, given to Qatar (June 2017)

V – Location of the NF/SP gas field - https://www.eia.gov/cabs/Qatar/NaturalGas.html [Accessed 18/03/18]



References

Abū Nāb, I. (1977). Qatar: A Story of State Building.

Al-Araby. (2017). "Israel Joins UAE and Egypt with Al Jazeera Ban." [online] Available at: https://www.alaraby.co.uk/english/news/2017/8/6/israel-joins-uae-and-egypt-with-al-jazeera-ban [Accessed 14 Nov. 2017].

Allied media. (2018). "Al-Jazeera TV Viewers Audience." Al jazeera Viewership Profile. [online] Available at: http://www.allied-media.com/aljazeera/al_jazeera_viewers_demographics.html [Accessed 10 Mar. 2018].

Al-Thani, T. (2017). "Qatari Emir: Our Sovereignty is a Red Line." [online] Al Jazeera. Available at: https://www.aljazeera.com/news/2017/10/qatar-emir-blockading-countries-regime-change-171029194842654.html [Accessed 19 Apr. 2018].

Anon, (2009). Cable: 09STATE131801_a. [online] Available at: https://wikileaks.org/plusd/cables/09STATE131801_a.html [Accessed 19 Apr. 2018].

BBC. (2000). "Life sentences for Qatari coup plotters." [online] Available at: http://news.bbc.co.uk/2/hi/middle_east/660887.stm [Accessed 8 Mar. 2018].

BBC. (2015). "Who are the al-Jazeera journalists tried in Egypt?" [online] Available at: http://www.bbc.com/news/world-middle-east-27943387 [Accessed 10 Mar. 2018].

Black, I. (2011). "Qatar admits sending hundreds of troops to support Libya rebels" [online]. The Guardian. Available at: https://www.theguardian.com/world/2011/oct/26/qatar-troops-libya-rebels-support [Accessed 10 Mar. 2018].

Bosio, D. (2013). "How Al Jazeera reported the Arab Spring: A preliminary comparative analysis." Media Asia, 40(4), pp. 333-343.

Brimelow, B. (2018). "Qatar wants the US military permanently in the country with a bigger air base." [online] Business Insider. Available at: http://www.businessinsider.com/qatar-al-udeid-us-air-base-middle-east-permanent-2018-1 [Accessed 19 Apr. 2018].

Buzan, B. and Wæver, O. (2003). Regions and powers. Cambridge: Cambridge University Press.

Carlstrom, G. (2017). "What's the Problem With Al Jazeera?" [online]. The Atlantic. Available at: https://www.theatlantic.com/international/archive/2017/06/al-jazeera-qatar-saudi-arabia-muslim-brotherhood/531471/ [Accessed 8 Nov. 2017].

Dargin, J. (2007). "Qatar's natural gas: The foreign-policy driver." Middle East Policy, 14(3), pp. 136-142.

Data.worldbank.org. (2017). "GDP per capita (current US$)" | Data. [online] Available at: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?year_high_desc=true. [Accessed 19 Apr. 2018].

Dazi-Héni, F. (2014). "Qatar's regional ambitions and the new emir." [online] Middle East Institute. Available at: http://www.mei.edu/content/article/qatar%E2%80%99s-regional-ambitions-and-new-emir [Accessed 10 Mar. 2018].

DiChristopher, T. (2017). "Saudi crown prince's lavish buys: Some see hypocrisy, others say they're no big deal." [online]. CNBC. Available at: https://www.cnbc.com/2017/12/27/saudi-crown-princes-lavish-buys-some-see-hypocrisy-others-shrug-it-off.html [Accessed 19 Apr. 2018].

Dickinson, E. (2014). "How Qatar lost the Middle East" [online]. Foreign Policy. Available at: http://foreignpolicy.com/2014/03/05/how-qatar-lost-the-middle-east/ [Accessed 7 Nov. 2017].

Wiegand, E. K. (2012). "Bahrain, Qatar, and the Hagar Islands: Resolution of a Gulf territorial dispute." [online] Jstor.org. Available at: http://www.jstor.org/stable/41342770 [Accessed 8 Mar. 2018].

Eggeling, K. (2017). "Cultural diplomacy in Qatar: Between 'virtual enlargement', national identity construction, and elite legitimation." International Journal of Cultural Policy, 23(6), pp. 717-731.

El-Ashmawy, S. (2014). "Convergences and divergences between the foreign policies of Saudi Arabia and Qatar toward the Arab uprisings (Egypt, Bahrain and Libya)." [online] Available at: https://ecpr.eu/Events/PaperDetails.aspx?PaperID=17570&EventID=13 [Accessed 14 Nov. 2017].

Elman, M.F., 1995. "The foreign policies of small states: Challenging neorealism in Its own backyard." British Journal of Political Science 25, pp. 171–217.

Entessar, N. (2015). "A regional great game? Iran–Saudi relations in flux." In K. Ulrichsen, ed., The Changing Security Dynamics of the Persian Gulf. Oxford, UK: Oxford University Press, pp.127-143.

Fromherz, A. (2012). Qatar: A Modern History. London: I. B. Tauris.

Henderson, S. (2017). "The Palace Intrigue at the Heart of the Qatar Crisis" [online]. Foreign Policy. Available at: http://foreignpolicy.com/2017/06/30/the-palace-intrigue-at-the-heart-of-the-qatar-crisis-saudi-uae-al-thani/ [Accessed 10 Mar. 2018].

Hinnebusch, R., 2013. "Failed regional hegemons." *Seton Hall Journal of Diplomacy and International Relations* 14.

Kamrava, M. (2011). "Mediation and Qatari foreign policy." *Middle East Journal*, 65(4), pp.539-556.

Kamrava, M. (2015). *Qatar: Small State, Big Politics*. Ithaca, NY: Cornell University Press.

Khondker, H. (2011). "Role of the new media in the Arab Spring." *Globalizations*, 8(5), pp.675-679.

Kingsley, P. (2014). "Egypt to charge al-Jazeera journalists with damaging country's reputation" [online]. *The Guardian*. Available at: https://www.theguardian.com/world/2014/jan/29/egypt-to-charge-20-al-jazeera-journalists-damaging-countrys-reputation [Accessed 19 Apr. 2018].

Lederman, J. (2017). "U.A.E. ambassador: U.S. should rethink Its air base in Qatar" [online]. *Bloomberg.com*. Available at: https://www.bloomberg.com/news/articles/2017-06-13/emirati-ambassador-us-should-rethink-its-air-base-in-qatar [Accessed 19 Apr. 2018].

Malsin, J. (2017). "Can Al Jazeera survive Qatar and Saudi Arabia's feud?" [online]. *Time*. Available at: http://time.com/4896791/al-jazeera-qatar-middle-east-saudi-arabia-crisis/ [Accessed 13 Nov. 2017].

Mearsheimer, J. (2001). *The Tragedy of Great Power Politics*. New York: Norton.

Mehmetcik, H. (2015). "If you are not big enough, pick a strategy: Bandwagoning, balancing, hedging" [online]. Available at: http://www.iapss.org/2015/04/29/if-you-are-not-big-enough-pick-a-strategy-bandwagoning-balancing-hedging [Accessed 23 Dec. 2017].

Middle East Monitor. (2017). "Egypt court sentences Morsi to 25 years in Qatar spy case" [online]. Available at: https://www.middleeastmonitor.com/20170917-egypt-court-sentences-morsi-to-25-years-in-qatar-spy-case/ [Accessed 10 Mar. 2018].

Mills, R. (2017) "Qatar Warms Up to Iran on Natural Gas" [online]. Available at: https://www.bloomberg.com/view/articles/2017-07-20/qatar-warms-up-to-iran-on-natural-gas/ [Accessed 10 Mar. 2018].

Murden, S. (1995). "Emergent regional powers and international relations in the Gulf, 1988–1991." *International Journal of Middle East Studies*, 29(03), p.336.

Nolte, D. (2010). "How to compare regional powers: Analytical concepts and research topics." *Review of International Studies*, 36(4), p. 888.

Nye, J. (2004). *Soft Power*. New York: Public Affairs.

PBS (1996). "Online NewsHour: Bin Laden's fatwa" [online]. Web.archive.org. Available at: https://web.archive.org/web/20100812060339/http://www.pbs.org/newshour/terrorism/international/fatwa_1996.html [Accessed 3 Apr. 2017].

PBS. (1996). "Bin Laden's fatwa" [online]. Available at: https://web.archive.org/web/20100812060339/http://www.pbs.org/newshour/terrorism/ international/fatwa_1996.html [Accessed 8 Mar. 2018].

Reuters. (2013). "Behind the abdication of Qatar's emir" [online]. Available at: http://blogs.reuters.com/great-debate/2013/06/26/behind-the-abdication-of-qatars-emir/ [Accessed 10 Mar. 2018].

Snoj, J. (2017). "Population of Qatar by nationality in 2017" [online]. *Priya D'Souza Communications*. Available at: http://priyadsouza.com/population-of-qatar-by-nationality-in-2017/ [Accessed 19 Apr. 2018].

Sultan, N. (2011). *Al-Jazeera: Media or Medium of Change in the Arab World?*

Sultan, N. (2013). "Al Jazeera: Reflections on the Arab Spring." *Journal of Arabian Studies*, 3(2), pp.249-264.

Trading economics. (2018). "Qatar Population: 1960-2018" [online]. Available at: https://tradingeconomics.com/qatar/population [Accessed 8 Mar. 2018].

Ulrichsen, K. (2014). "Qatar and the Arab Spring: Policy drivers and regional implications" [online]. *Carnegie Endowment for International Peace*. Available at: http://carnegieendowment.org/2014/09/24/qatar-and-arab-spring-policy-drivers-and-regional-implications-pub-56723 [Accessed 14 Nov. 2017].

Warnaar, M. (2016). "Why can't we be friends?. Iran's relations with the Arab states of the Gulf." pp.102-124.

Wiegand, K.E., 2012. "Bahrain, Qatar, and the Hawar Islands: Resolution of a Gulf Territorial Dispute." *Middle East Journal* 66, 79–96.

World Bank. (2017). "GCC: Economic outlook: April 2017" [online]. Available at: http://www.worldbank.org/en/country/gcc/publication/economic-outlook-april-2017 [Accessed 19 Apr. 2018].

Zahlan, R. (1979). *The Creation of Qatar*.

14

YEMEN: TORN BETWEEN REGIONAL AND GLOBAL POWERS

Sasha (Alexandra) Sternik

Introduction

This paper is written with the intention not just to attract attention to the current crisis in Yemen, but to explain and investigate the geopolitical aspects of it. It will specifically concentrate on actors presented either on the ground or acting as third parties – including the great powers and NGOs. It will also attempt to provide an explanation of the economic reasons behind the crisis – namely, oil and the geographic location.

However, the paper should be started with a disclaimer: due to the constantly changing situation on the ground it is too early to explore it from the academic point of view, so my work is shaped more as an analytical research, on events up to 4th June 2018. Furthermore, the paper is based on open sources only; resulting in a concise literature review and critical approach to the issue. Considering that all sources are biased by definition, only the most objective ones were used. Materials and figures from various bodies of the UN are used as these are the most reliable forms of data. Nonetheless, figures and effectiveness of the UN could be artificially exaggerated (Dobbins et al., 2005). Western sources vary on their political positions and thus their opinions. Only the most reliable sources have been chosen for this paper. Local sources are used with strict filters and acknowledgement of their biases.

Background

Since the beginning of the conflict in 2015, Yemen has been experiencing a tremendous humanitarian catastrophe. The ongoing conflict has resulted in thousands of deaths and left many more people suffering in extremely difficult conditions. To reflect upon the desperate condition of the country, '21 million people are in need of some kind of humanitarian assistance' (O'Brien, n.d.). Indeed, the conditions the people are currently living in are terrible: state services are not functioning, so there is no constant supply of clean water and electricity; kids are not attending schools, and adults cannot receive medical assistance shall they require it. The current outbreak of cholera, the worst in history (Lyons, 2017), makes the current situation even more rough.

The sequence of events that are within the time frame analysed in this paper started during the Arab Spring, and the same issues have also occurred in other countries of the region including: unemployment, dictatorship, poverty and poor economic conditions. Both groups of fundamentally religious and secular population were participating (Bakri and Goodman, 2011). Protesters succeeded: Ali Abdullah Saleh, the president of Yemen at that time, agreed to leave the office. Interestingly enough, the Houthis were participating in the protests and were invited to further talks regarding the 'exit plan' for Saleh (Al Qadhi, 2011), though they did not attend. Instead they pursued their goal of taking over the north of the country, using the moment when the army as a national institute was not able to fight back because of the revolution (Curtis, 2012). In the current dynamic of the conflict, the group is one of the key players on the board, which will be discussed later on.

Matters of the Arab Spring were followed by the so-called 'transitional period' (2013-2015), which had several main highlights: the election of the current internationally recognised president Abdrabbuh Mansur Hadi; Saudi's decision to

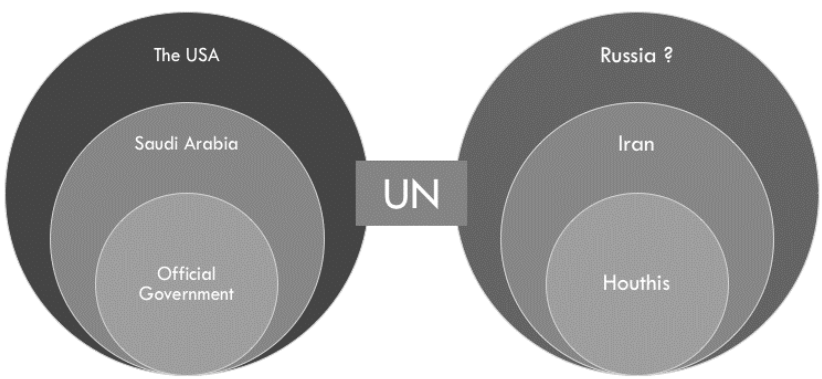
lower the number of migrant workers (The Economist, 2013); and the National Dialogue Conference (NDC). NDC was a 10-month long peace negotiation that succeeded to reach the final agreement, including not just the transition of power from Saleh to Hadi, but also the key idea of the new constitution. According to this document, the country should have been divided into six provinces and become a federation (Schmitz, 2014). The Houthis, despite being present in the NDC, decided not to support the implementation of the agreement. In their opinion, it is a deal which was imposed by "the West" in general, and the USA in particular (Bin Sallam, 2012). That eventually was one of the reasons of the new Houthis' rebellion, which happened in 2015 and marked the beginning of the current civil war.

As of right now (May 2018), the country is de facto divided into three main zones, based on the key players. The west of the country (which includes: Sa'dah, Amran, Hajjah, Raymah, Al Hudaydah, Sana'a, Dhamar, Ibb, and Al Bayda' governorates) is under the control of the Houthis. East and middle parts of the country (Al Mahrah, Al Jawf, Ma'rib, Shabwah, Al Dali, Lahij, and Ta'izz governorates) are claimed by the 'Al-Qaeda in the Arabian Peninsula' (AQAP). At the same time, anti-Houthi coalition forces led by Saudi Arabia and not including the AQAP, are present in the region; using it as a base for air raids to the Houthi-controlled territories. Small parts located mostly along the south coastline are under the control of the former president Saleh (Map of civil war in Yemen, 2018).

There are several key states playing some roles in the conflict right now: Iran, as a supporter of the Houthis; Saudi Arabia leading the coalition against them and Oman as a negotiator of peace talks between them. Various agencies are working on the ground – from UN bodies (e.g. WHO) to NGOs (e.g. Save the Children). The presence of other players is limited mostly to financial donations and various UN resolutions.

Actors and Connections

Only 5 main actors have been mentioned in the paper thus far; including: the official government of Yemen, Saudi Arabia, the United Nations, Iran, and the Houthis. However, there are two further actors that require inclusion into the complex dynamic of actors in the conflict: Russia and the USA. These are the superpowers directly involved in the conflict. In evaluating the context of superpower involvement, one can establish clear connections between the USA and Saudi Arabian Kingdom. However, the most interesting findings seem to appear when examining the links between the Russian Federation and the Islamic Republic of Iran. However, I will start from the links between actors on the ground – the official government of Yemen, and Houthis.



Looking further into the relations of mentioned actors, we can begin to comprehend a compelling dynamic within the conflict. As the diagram shown above suggests, we will be looking at the hierarchical relations between Houthis, Iran and Russia. We will also be examining the relations between the official Yemeni Government, Saudi Arabia

and America. My main interest is concentrated on the first chain, since the connection that appears to present the most obscurity is the connection between Russia and Iran. Besides that, as has been mentioned earlier in the introduction, one of the aims of this paper is to attempt to prove that the proxy war which is happening at the moment has more than one dimension. In fact, it is a war between Russia and the United States.

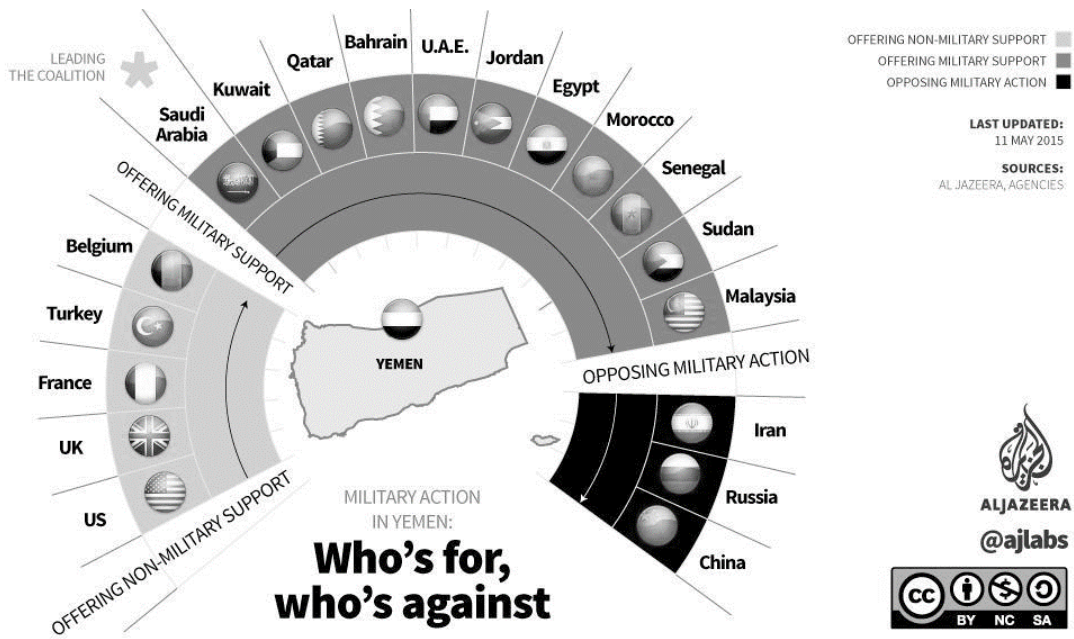
Sides

On one side of the conflict lies the official government of Yemen supported by the coalition. The coalition is led by Saudi Arabia. It includes usual allies of the Saudi Arabian Kingdom – the UAE, Bahrain, Kuwait, Egypt, Jordan, Morocco, Qatar (before the Qatari crisis on 2017), Sudan and Senegal. It is also majorly supported by the USA (this will be discussed in more detail later), and the UK. The support is expressed in weapon sales, intelligence & training, as well as in the presence of military personnel on the ground in case of the U.S.

The official government opposes the Houthis, who used to receive support, and in some sense leadership, from Saleh (the former president of Yemen) and his family. The Houthis are receiving direct support from Iran, and indirect support from Qatar and Hezbollah. According to some allegations, North Korea is also involved in the situation. However, this paper will not look into the relations between the DPRK and Yemen.

The third side could be generalised as non-state actors, predominantly terroristic organisations – Al-Qaeda and ISIS. However, at the given moment they are the least active actors in the conflict, and therefore will not be discussed in detail.

Unfortunately, international relations are slightly more complicated than a diagram with hierarchy. Thus, every section here will concentrate on a 'main partnership', almost ignoring the simultaneous existence of relations with 'the opposite side'. (e.g.: SA-USA ignoring SA-Russia).



(Source: Al Jazeera, 2015)
** Qatar has switched sides since then; information about Iran is obscure.*

Yemen-Saudi connections

Since Saudi Arabia is the head of the coalition, the paper will be mostly concentrating on the Saudi Kingdom and its role in the conflict. The connection and the support from SA to the official government is the easiest to prove.

Firstly, Al-Hadi is now semi-permanently located in Riyadh (the capital of SA), where he has been staying 'under house arrest' (Al Jazeera, 2017). The president had sent many requests to be allowed to come back to Yemen before they were fulfilled.

Secondly, as has been mentioned more than once already, Saudi Arabia is leading the coalition; apparently with the full support of the official government of Yemen.

The reason is quite obvious: geographical location. Yemen has a coastline of 1,906 km (1184 miles) which links the Red Sea to the Indian Ocean. It is one of the most strategically important shipping lines in the world. The Kingdom wants to have control over it, even if it would get it through the puppet government.

Saudi Arabia – the USA

Ties between these countries are historically very strong, and the current leaders from both sides are doing everything to support them; (Crown Prince Mohammed bin Salman is now a frequent guest in Trump's White House, and Mr. Trump has visited SA during the first months of his presidentship). Their partnership extends beyond warfare and militarisation. Perhaps unsurprisingly, mutual economic interests also play a huge part in the alliance. The following headlines reflect upon the dynamic of the economic relations between the two states: 'Trump says he asked Saudi king to list oil company on New York exchange' (The Guardian, 2017); 'US and Saudi Arabia agree '$350 billion arms deal' (McLoughlin, 2017);'SAGIA: US investment in Saudi Arabia worth over $55bn' (Arab News, 2018).

Such deals of this scale require a strong and coherent investment climate in order to be completed smoothly; i.e. both sides consider the economic risks to be mutually low, which highlights the strong ties existing between them.

As mentioned earlier, the USA is also supporting the Coalition in different forms. The first of them is the direct military intervention: 'In the early morning of Jan. 29 [2017], special forces of the United States (US) raided a remote outpost of Al-Qaida leaders in southern Yemen.' (Triebert, 2017) Indeed, this operation was 'officially' targeting Al-Qaida, however, according to local media, thirty civilians were killed. The United States are also supplying weapons and providing training for the coalition: 'American-Made Bomb Used in Airstrike on Yemen Wedding' (Toler, 2018).

The topic that still requires further clarification is hierarchy. Of course, the concept of the USA being dominant to Saudi Arabia is partly speculative; neither side will confirm it. However, right now the US are holding the position of the hegemon. Saudi Arabia, being a very important player, is yet to achieve the same position. Besides that, the USA is still bigger and stronger both as a military and economic power. Plus, the Crown Prince will definitely try to increase the amount of investment from the United States, considering his political stance regarding the country's progression towards liberalisation.

Iran – Houthis

Iran is denying any allegations that it is somehow connected with the Houthi rebels. However, there is significant and proven evidence that allows us to question these statements. Apparently, Iran supports the Houthis in different ways: by giving or selling them arms, by financing and by providing intelligence and support. 'Sources say Iran is using ships to deliver supplies to Yemen either directly or via Somalia, bypassing coalition efforts to intercept shipments.' (Saul, Hafezi and Georgy, 2017)

The Houthis are actively using missiles that have not only been bought from Iran but were actually produced in Iran itself:

'Yemen rebels used Iran-made missiles' (The Straits Times, 2017). It was further confirmed by the US officials: 'Nikki Haley, the US ambassador to the United Nations, said in a statement earlier in the week that the July launch involved an Iranian Qiam-1, a liquid-fueled, short-range Scud missile variant.' (Sampathkumar, 2017).

The reasons for Iran to support the Houthis will be further discussed in the next section.

Russia-Iran

The relations between these two countries were almost always strong: both modern Russia and Iran could be considered to be 'Imperialistic Outsiders' for NATO. After all, both countries are challenging Trump at every opportunity. Here are some quotes to prove this point: "Iran is important for us in Syria but also in the Caucasus and Central Asia," Irina Zvyagelskaya, the chief research fellow at the Russian Academy of Sciences' Institute of Oriental Studies; "Our coöperation can isolate America," Khamenei told Putin (Pinchuk, 2017); "The most important thing that Putin said was, 'I will not betray you,' " Ali Vaez, an Iranian-American who heads the Iran portfolio of the Brussels-based International Crisis Group (Wright, 2018).

Another interesting thing happening at the moment is the interference of Russian-Iranian relations by Israel; a nation not directly involved in the conflict. In the beginning of June 2018, Israeli Defence Minister Avigdor Liberman visited Moscow to discuss Iranian presence in southern Syria (Staff, 2018). His meeting with his Russian colleague Sergey Shoigu was successful. On 30th of May Sergey Lavrov, Russian Foreign Minister, urged for the pullback of all non-Syrian forces from 'the borders with Israel' (TASS, 2018). Tehran rejected the idea of withdrawing, saying that 'It's Not Going to Happen' (Masoud Jazayeri, deputy chief of staff of Tehran's armed forces). Therefore, Russia's decision to publicly call for a withdrawal against Iranian desires is likely to seriously harm the relations between the two countries. At the same time, the Iranians, thus far, have failed to mention this, instead blaming the U.S. and Israel for their intentions to break Iran-Syria ties (Haaretz, 2018). (The USA was also lobbying for the military withdrawal). This is important to highlight, as it could potentially be seen as Iran acknowledging the hierarchical relations that exist between Tehran and Moscow.

Respectively, the fact that Moscow is favouring Israel over Iran could lead to several potential developments of the situation. Firstly, it may mean that the initial hypothesis of the paper is wrong, and Russia is not willing to have a confrontation with the USA on Yemen's expense. Secondly, if the initial hypothesis is still correct, hierarchical relations mentioned earlier are stronger than expected, and Russia can demonstrate its attitude to Iran with no further consequences.

The United Nations

The Yemen crisis attracts less attention than the Syrian crisis, and therefore is discussed less than the latter. However, it is no less of a humanitarian catastrophe. There is a devastating cholera outbreak in addition to thousands of dead civilians and malnourished children. Although, the latest resolution 2402 (2018) adopted by the Security Council is mostly focused on further promoting various measures of control on the situation and is more directed on preventing arms supply and arms trade in the region. This includes travel bans, arresting of funds, an arms embargo, and cargo inspections. Such measures are not actions – i.e., the UN is interfering to the conflict passively rather than actively. There are active bodies on the ground, like WHO and UNICEF, but they are providing support to the civilians, not interfering in hostilities. There are no peacekeepers on the ground as of June 2018.[1]

Reasons

The main reason for what is currently happening with Yemen is its geopolitical location; though money is also a significant element to consider. Yemen was the poorest country on the Arabian Peninsula before the crisis. Now, with the old elites having fled the country, war is creating a new social structure based on arms, trade and corruption. Besides that, hostilities are dividing the country. This allows both sides to benefit from almost natural monopolies. For example, there are rumours that Hadi allies are profiting from their monopoly on fuel supply into Aden. The war is simply profitable for those on the ground: there are cases when the coalition's guns were sold to the other side.

The war is also profitable in a political sense, but not for Saudi Arabia – many experts have called it 'a political disaster'. It is however, 'profitable' for Iran for several reasons. First, it allowed Iran to obtain the support of Qatar. Of course, it would be a mistake to say that it is the only 'project' that united them, however it will definitely be used for strengthening the relations between these 'outcasts of the region'. [2]Second, Iran is having a 'proxy' war with its long-lasting rival, Saudi Arabia. This way, Tehran can actually demonstrate its military power and capabilities to Riyadh, without compromising the security of its own citizens. Finally, in the case of Iran, the war can serve as a way to expand its borders of influence. In the unlikely event that the Houthis will win the war and Yemen will become once more a united country, Iran will receive a perfect satellite: with valuable resources in an incredibly important location.

The location is crucial, for many reasons. A lot of trade routes, including ones for oil tankers, are going through Yemen's southern cost. During 2011, 3 million barrels of oil passed through these waters (Lister, 2011). Plus, it controls an entrance to the Red Sea, which is crucial for several countries including: Eritrea, Sudan and Egypt. These waters are also under the constant threat of Somali Pirates, so having Yemen as a 'safe place' is naturally very profitable. Furthermore, Yemen also shares a border with Saudi Arabia, which is naturally very concerned about its neighbour. One could say that the Saudi's concern for national and regional security is warranted, considering that Yemen is a base for Al-Qaeda and the Iranian influence.

The least detrimental reason for the conflict can be attributed to the hunt for the country's resources. Yemen is not vastly rich resourcefully in comparison with other countries of the Middle East. However, it still produces large amounts of gas and oil, though the production is constantly falling (Ycharts.com, 2018). The land also fails

1 Iranian nuclear deal can be attributed to this section and is relevant for the bigger picture of the USA-Iran relations. However, for the matters of this article, it is ignored.

to generate much interest from investors, as it does not have much of fertile soil, and a touristic potential of the country is yet to be discovered.

Conclusion

This paper has purposely ignored the historic routes of Yemen's conflict, instead focusing on the overview of the current situation on the ground. It has shown the complicated hierarchical structure of the current proxy war which is happening there. The Official Government of Yemen is being supported by Saudi Arabia, who is in turn supported by the USA; the rebellious movement of Houthis is supported by Iran, who is gaining some support from Russia. The analysis was predominantly concentrated on the latter connection, examining the potentially hierarchical relations between these two states. The hypothesis, based on the hierarchical structure, that the war is happening on two 'proxy levels', appears to be supported by available open sources. The paper further examined the reasons behind the war – political, economical, and territorial. It has also covered the appearance of the new elite, which is basing its prosperity on the ongoing war.

References

Al Jazeera (2017). Yemeni President Hadi 'under house arrest' in Riyadh. [online] Available at: https://www.aljazeera.com/news/2017/11/yemen-president-hadi-house-arrest-riyadh-171107082638642.html.

Arab News (2018). SAGIA: US investment in Saudi Arabia worth over $55bn. [online] Available at: http://www.arabnews.com/node/1271766/saudi-arabia.

Bin Sallam, M. (2012). Houthis reject dialogue - Yemen. [online] ReliefWeb. Available at: https://reliefweb.int/report/yemen/houthis-reject-dialogue [Accessed 26 Nov. 2018].

Cooper, H., Gibbons-Neff, T. and Schmitt, E. (2018). Army Special Forces Secretly Help Saudis Combat Threat From Yemen Rebels. *The New Yorck Times*. [online] Available at: https://www.nytimes.com/2018/05/03/us/politics/green-berets-saudi-yemen-border-houthi.html.

Haaretz (2018). Iranian General Denies Reports of Withdrawal From Southern Syria: 'It's Not Going to Happen'. [online] Available at: https://www.haaretz.com/middle-east-news/syria/iranian-general-denies-reports-of-withdrawal-from-southern-syria-1.6140002.

Lister, T. (2011). Why we should care about Yemen. *CNN*. [online] Available at: http://edition.cnn.com/2011/WORLD/meast/06/03/yemen.matters/index.html.

McLoughlin, P. (2017). US and Saudi Arabia agree '$350 billion arms deal'. *The New Arab*. [online] Available at: https://www.alaraby.co.uk/english/news/2017/5/20/us-and-saudi-arabia-agree-350-billion-arms-deal.

Pinchuk, D. (2017). Khamenei says Iran, Russia should cooperate to isolate U.S., foster Middle East stability. *Reuters*. [online] Available at: https://www.reuters.com/article/us-iran-russia-putin/khamenei-says-iran-russia-should-cooperate-to-isolate-u-s-foster-middle-east-stability-idUSKBN1D14CK.

Sampathkumar, M. (2017). Yemen missile attack: Weapon fired by Houthi rebels at Saudi capital was Iranian, say US officials. *Independent*. [online] Available at: https://www.independent.co.uk/news/wor-

ld/middle-east/tehran-yemen-missile-attack-rebels-saudi-arabia-iran-capital-us-officials-a8047936.html.

Saul, J., Hafezi, P. and Georgy, M. (2017). Exclusive – Iran steps up support for Houthis in Yemen's war: sources. *Reuters*. [online] Available at: https://uk.reuters.com/article/uk-yemen-iran-houthis/exclusive-iran-steps-up-support-for-houthis-in-yemens-war-sources-idUKKBN16S22P.

Staff, T. (2018). Liberman heads to Moscow to lobby against Iranian presence in Syria. *The Times of Israel*. [online] Available at: https://www.timesofisrael.com/liberman-heads-to-moscow-to-lobby-against-iranian-presence-in-syria/.

TASS (2018). Lavrov: Pullback of non-Syrian forces from border with Israel must be fast. [online] Available at: http://tass.com/politics/1007169.

The Guardian (2017). Trump says he asked Saudi king to list oil company on New York exchange. [online] Available at: https://www.theguardian.com/world/2017/nov/04/donald-trump-saudi-oil-company-new-york-stock-exchange.

The Straits Times (2017). Yemen rebels used Iran-made missiles. [online] Available at: https://www.straitstimes.com/world/europe/yemen-rebels-used-iran-made-missiles.

Toler, A. (2018). *American-Made Bomb Used in Airstrike on Yemen Wedding*. [online] bellingcat. Available at: https://www.bellingcat.com/news/mena/2018/04/27/american-made-bomb-used-airstrike-yemen-wedding/.

Triebert, C. (2017). *Open Source Survey of the US Raid in Yemen*. [online] bellingcat. Available at: https://www.bellingcat.com/news/mena/2017/02/02/open-source-survey-of-the-us-raid-in-yemen/.

United Nations (2018). *Resolution 2402*. Security Council.

Wright, R. (2018). Russia and Iran Deepen Ties to Challenge Trump and the United States. *The New Yorker*. [online] Available at: https://www.newyorker.com/news/news-desk/russia-and-iran-deepen-ties-to-challenge-trump-and-the-united-states.

Ycharts.com. (2018). *Yemen Oil Production (Yearly, Barrels per Day)*. [online] Available at: https://ycharts.com/indicators/yemen_oil_production.

PART IV

CLIMATE CHANGE: HOW DO WE RESPOND TO THIS GLOBAL CHALLENGE?

15

WARMING UP TO CLIMATE CHANGE? THE UNITED STATES' LIMITED RESPONSE TO GLOBAL WARMING: A CASE FOR CLIMATE ADAPTATION

Tessa Browne

Introduction

The failure to implement the Kyoto Agreement (1992), and the recent withdrawal from the Paris Climate Agreement (2015), marks decades of inaction by the United States to lend a significant hand in climate change mitigation. This paper will therefore seek to understand the reluctance of the United States to rise as a global leader in the challenge that climate change presents. The United States houses 4.5 per cent of the world's population, yet accounts for twenty-five percent of all carbon dioxide emissions (Kretz, 2012). As one of the largest global emitters of carbon, the United States stands to be a significant contributor to climate change—therefore its participation in the role of both climate mitigation, and climate adaptation, is crucial.

Notably, the concept of climate mitigation is widely applied to industries (on both a policy and private-industry level), which actively work to reduce carbon emissions, such as technical investments, and renewable energy implementation. However, climate adaptation requires a different approach; one that considers long-term horizons and consequential impacts of climate change (Laukkonen et al., 2009). This is specifically crucial, given that the past consumption of fossil fuel and ensuing emissions are and will continue to heighten vulnerabilities (UNDP, 2008). Climate change is unequal in its impact, and it is women, people of colour, and the poor are more susceptible to climate change harms (Alber 2011; Cuomo 2011, cited in Kretz, 2012), especially in developing countries. Therefore, climate justice emerges as a crucial element for enacting climate adaption, for the complex considerations that climate adaption requires, are largely ignored in the policy process, which often prefers a "quick-fix" in short time frames. Climate justice can seek to deliver the unification of these often individually treated concepts, as well as unification on the North-South division that climate change incurs.

This paper will address the theoretical frameworks of environmental justice and ecological modernisation theory. Environmental justice provides a foundational theory from which climate justice extends, and, in comparison to ecological modernisation, it can provide key insights into the inadequate Northern approach to climate mitigation, most notably in the United States. An important acknowledgement is that "not only is there a North-South angle to environmental justice, but that there is a North and a South within each country" (Anand, 2002, p.130). Therefore, a case study of New Orleans, post-Hurricane Katrina, will be used to highlight the consequences of the ineffectual normalisation of environmental justice into U.S. institutions. It will argue that the institutional failure seen in New Orleans to address environmental justice, is widely representative of the nation's limited response to climate change—highlighting several internal deterrents that continually impede upon any potential progressive climate policies. Furthermore, climate change is not a purely political phenomenon, so the idea of environmental justice as a social movement will be examined within the context of climate justice.

For the clarity of this argument, this paper will place its primary focus on the United States. This is not to undermine the priority of climate mitigation and adaptation on a global level. Yet, the United States as a global hegemon largely shapes the international sphere, and its economic and political power will crucially shape the outcome of future international climate treaties. An internalised focus will determine why, and how, internal structures and discourses limit the potential for climate justice to be enacted on an international platform.

The Realist and the Radical

This section will evaluate the theoretical constructs of ecological modernisation and environmental justice, and their relation to climate change. It identifies that neither discourse, ecological modernisation, nor environmental justice have been sufficient in their approach towards provoking legitimate action towards climate change mitigation and adaptation.

Ecological Modernisation and Climate Mitigation

A concept that emerged in the late 1980s, ecological modernisation affirms a 'positive' relationship between climate mitigation and the role of the free-market economy. It asserts that environmental protection can be stimulated and monitored through economic means, assuming 'a positive-sum game' between the two (Berger et al., 2001, p.55). Technological innovation is a key factor, linking progression with market environmentalism, and driven through the key market qualities of efficiency and adaptation. The emphasis greatly falls upon that of compatibility; ecological modernisation notably underlies sustainable development strategies at all levels in the West (Pepper, 2005).

However, Shue (1997) argues that there has been an economic well-being gaining normative status in the right to development, which can lead to the danger of a "radical numbness" behind concepts such as sustainable development (pp.457-8). The embedded use of the term sustainable development has come to dominate the field of policy and politics: the term first gained political authority and widespread recognition from the 'Brundtland Report'—published in 1987 by the United Nations Commission on Environment and Development (UNCED). Sustainable development was established as a framework within which the "twin requirements of environmental protection and economic development could be integrated" (Jacobs, 1999, p.2). It features regularly in international development projects, for example the United Nations Development Program (UNDP, 2011) uses 'Sustainable Development Goals' as a leading developmental movement for poverty alleviation. The concepts of 'sustainability' and 'sustainable development' are therefore considered a direct practice of ecological modernisation theory, combining progression and protection.

Yet, as discussed within the works of Jacobs (1999); Holland (1999); Elliot (1998); and Dobson (1999), a problem arises when variable definitions of sustainable development seem to contradict fundamental concepts and boundaries which it encompasses. It appears the crucial issue is that the concept of sustainable development has been widely and variably used throughout literature without adhering to one set definition. This makes any form of implementation difficult, falling into somewhat of a "sustainable development slogan" (Finger, 1993 cited in Elliot, 1998, p.185), which ultimately equates sustainable development to a promotional slogan rather than a direct practice of sustainability with specific requirements and set policies. For example, on the environment, The Brundtland Report (1987) highlights the need for development 'that meets the needs of the present without compromising the ability of future generations to meet their own needs' (Elliot, 1998, p.180). Furthermore, the

United Nations 2011 Human Development Report (UNHDR) states that 'sustainability is not exclusively or even primarily an environmental issue […], it is an awareness that everything we do has consequences for the 7 billion of us here today, as well as for the billions more who will follow' (UNDP, 2011). Undeniably, these statements extend the concept of sustainable development beyond economic measurement, and redirect the term sustainability towards questions of fairness, and social justice, as well as considering long-term consequences.

Yet, this arguably increases the obscurity of how to implement sustainable development. Christoff (1996) criticises the "weak" form of ecological modernisation and its "unilinear" path to ecological modernity, affirming the restrictions of being bound in favour of Western development models (cited in Berger et al, 2000, p.69). A contradiction arises, then, as ecological modernisation is embedded with the assumption of sustainability—which, according to the reports, incorporates wider forms of social justice. Here, the acknowledgement of justice renders itself insufficient, for it is not a specific practice of ecological modernisation, which is wholly directed towards market correction. A global 'Northern' solution to climate change is approached broadly within this framework, and the minimal action taken towards mitigating and adapting to climate change in the last forty years is reflective of this neutralisation of 'sustainable' change.

A further contradiction of the market environmentalist debate is found in the parallel processes of which the 1992 United Nations Framework Convention on Climate Change (UNFCCC) was formed, practically alongside the creation of the World Trade Organisation (WTO), in 1994. Despite these frameworks being incredibly influential in the development of global trade and development practices in the decades that follow, there is a profound absence of lateral agreement which incorporates the UNFCCC priorities with future trade practices. As Klein (2014) points out, "what is most remarkable about these parallel processes, is the extent to which they functioned as two solitudes" (p.76). This adds to the fundamental flaw found in the notion of addressing climate change through economic reform, as "current power structures, which are grounded in industrial capitalism, depend on the constant pursuit of surplus, economic growth and capital accumulation for their own reproduction" (Manuel- Navarrete, 2010, p.782). To an extent, this is reflective of the profound display of inadequacy in the Northern approach to climate change. It reflects the convenience of the discourse behind justice, whilst fuelling the very institutions and industries that have been a main causation of environmental and climate degradation.

Environmental Justice and Climate Adaption

Environmental justice forms the wider social justice that has commonly been narrated within concepts of sustainable development and ecological movements. Emerging in the late 1960s and early 1970s as a part of a new environmental consciousness, it became linked to the fight for justice. In particular, cases of pollution or resource exploitation saw social ideas translated into social action (Eyerman and Jamison, 1991, p.71). The movement behind environmental justice therefore recognises that harmful economic structures and policies can equate to harmful treatment of humans, who are often unequally impacted by environmental degradation. Ample literature comments on the expansive scope of justice that environmental justice entails, often acknowledging it to be a problematised and contested concept (Dobson, 1998a; Bullard and Johnson, 2000; Agyman and Evans, 2004; Schlosberg, 2009; Anand, 2017). The United States Environmental Protection Agency (EPA), defines environmental justice as the "fair treatment and meaningful involvement of all people regardless of race, colour, national origin or income, with respect to the development, implementation, and enforcement of environmental

laws, regulations and policies" (EPA, 2017, p.1). Here, the association with the protection against disproportionate negative consequences from institutional action is largely employed as the main feature of environmental justice.

However, it is crucial to address the several different contexts in which environmental justice can be placed. Ikeme (2003) identifies several approaches to environmental justice, including preventive, corrective and retributive justice. Furthermore, it is stressed that there is both a deontological, a rights-based, approach to environmental protection, as well as a consequentialist approach, which uses ethics to determine action. (Ikeme, 2003). Agyman and Evans (2004) contextualise environmental justice in two instances: at the local and activist level, and at the governmental level. Schlosberg (2009) critiques the often-heavy focus placed upon maldistribution in environmental justice, for it can be argued that environmental justice must also address the processes which actually construct maldistribution. Drawing upon individual and social recognition as key elements of attaining justice: "central here is not only the psychological component of recognition, but also the status of those less well-off in distributional schemes" (Schlosberg, 2009, p.4). Following this observation, Schlosberg (2009) argues the importance of expanding this debate of environmental justice to the influence of social movements, because they often employ "multiple conceptions of justice simultaneously", as well as apply conceptions of justice "not only to individuals, but to groups and communities as well" (p.5). This is important because environmental justice notably includes issues of inequality, recognition, and participation. The distinction between the two levels of 'enactment' of environmental justice, the political and the social level, is therefore key to expand this argument.

The undeniably expansive formula that extends to environmental justice can be seen as both a weakness and strength in achieving justice. Limitations of environmental justice rise in the broad scope in the definition itself, as is often open for interpretation. The EPA uses the term environmental justice in programs such as the 'Environmental Justice 2020 Action Agenda', employed with several goals in order to achieve environmental justice. Here marks a division in the way in which environmental justice can be yielded to serve specific contexts. The U.S. EPA was largely shaped by the rise of environmentalism in the 1970s. As the federal enforcer of procedural and distributive environmental justice, it has played a key role regarding the implementation of environmental regulation over the decades, with projects reference to drinking water, air quality, hazardous waste etc. However, much like the contradictory case between the WTO and the UNFCCC, the EPA has simultaneously developed alongside decades of the United States fuelling further polluting and environmentally damaging industries. The earlier critique of 'weak ecological modernisation' can also be said for the 'weak' adaptation of environmental justice, which is also in danger of reinforcing a 'business as usual model', much like a sustainable development slogan.

Therefore, specifically noting the case of the EPA, it can be determined that if left unchallenged, the inherently unjust origin of the maldistribution will continue to function without interruption. This creates the paradoxical case in the need for the continual re-distribution of negative environmental consequences, whilst essentially ignoring the producer of these mal-distributions. The extended period in which institutions have failed to bridge the marketisation of the environment with wider social challenges, acts as a severe limitation for hope in achieving climate mitigation and adaptation.

In a further assessment of environmental justice, another limitation can be found in the encounter between the 'realist' and 'radical' perspective, whereby the acknowledgement of injustice, does not translate as one, unanimous response. An environmental idealist has often been linked to movements of radical environmentalism in their rejection of the hegemonic, unsustainable order, and through seeking alternatives that go beyond the reformist premises of ecological modernisation (Pepper, 2005). What can be seen as a "power turn", idealism redirects

research toward transforming power patterns instead of shielding them against climatic threats through mitigation, adaptation and resilience (Manuel-Navarrete, 2010, p.784). Yet, radical calls for a dismantling of unjust power, often do so in the idealization of the ability to change such power structures. There is risk of falling into a largely, Marxist oriented notion of economic subjection—the idealist approach is notably stunted by "the inadequacy of merely having the stronger case to make" (Vanderheiden, 2008b, p.311). The crossroads between realist market solutions and radical aspirations create a climate of conflict as opposed to a consensus. Any potential change must seek to overcome the 'idealist versus realist' paradox of being either too radical, or not radical enough, to challenge dominant institutional power.

Climate Justice

On the contrary, arguments for climate justice can offer speculation as to just how 'radical' justice thought ought to be. In democratic societies, "justice and fairness belong to the policy process, rather than being intrinsic to social structures" (Manuel-Navarrete, 2010, p.783). Thus, it can be argued, that idealistic approaches ought to pay more attention to the institutional transformation and implementation of strong climate policies. However, whilst theoretical developments on justice have been extensive, they have largely taken place within a communitarian approach, often expanding from the scope of Rawls' Theory of Justice (1971). Nancy Fraser's contribution towards "reframing justice in a globalized world" (2005), observes that globalization has urged a reconsideration of justice limited within national boundaries. She argues that this can be considered by many to be a major vehicle of injustice, as it "partitions political space in ways that block many who are poor and despised from challenging the forces that oppress them" (2005, p.42). Climate change has emerged as a global phenomenon, and the expansive scope of impact it claims, reinforces the consideration of extending justice beyond the state.

Climate justice refers to principles of democratic accountability and participation, ecological sustainability, social justice and their combined ability to provide solutions to climate change (Chatterson et al, 2013). It therefore has a crucial role for provoking serious climate adaption, which must be recognised as an essential part of the climate solution. Notably, already an estimated twenty-five million environmental refugees have been displaced due to anthropogenic global warming, and the number is predicted to grow exponentially (Attfield, 2009 cited in Kretz, 2012, p.11). By overcoming the previous barriers found in environmental justice, climate justice has the potential to conceptualise and initiate a wide inclusion of justice that can materialise legitimate claims for climate adaptation.

New Orleans: A Climate for Disaster

In the recent aftermath of Hurricane Katrina, the prominent focus fell upon the extensive failures of the United States government in its emergency response to the disaster. This section places a greater emphasis upon the U.S. federal response, through the lens of environmental justice. Hurricane Katrina was an extensive failure on the behalf of the government to live up to their duty to ensure environmental justice. This case study is representative of the inadequate implementation of environmental justice, and how it extends to wider considerations of climate change in the United States.

Case Study: Hurricane Katrina

Hurricane Katrina struck the U.S. city of New Orleans on the 29th August 2005. It is documented as one of the largest natural disasters to have occurred the United States, whereby around 770,000 people were displaced

(Townsend, 2006), 300,000 homes were destroyed, and 1,500 people lost their lives in New Orleans alone, as well as estimated damages reaching $150 billion (U.S. Senate, 2006).

Katrina was a natural disaster and just one of the many hurricanes to have occurred in this regional gateway for tropical storms. However, it is increasingly argued that Katrina was "both an unnatural and natural disaster" (CPR, 2005, p.23). The number of climate-related disasters that we are witnessing on a global scale is rapidly escalating. Climate Scientists have directly linked the increased intensity and occurrence of hurricanes to the warming ocean temperatures (IPCC 2007, cited in Klein, 2007). Climate change is often referred to as a man-made, 'unnatural disaster,' which aims to clarify the difference from the naturally changing global climate over millions of years.

Katrina stands to be the deadliest hurricane since 1928 (Townsend, 2006). However, it has long been known that the state of Louisiana is at threat from environmental decay—the future of the state is largely dependent upon how global warming will continue to impact the world. New Orleans, Louisiana's largest city, currently lies as much as ten feet below sea level and continues to sink an inch every three years (U.S. Senate, 2006, p.21). The vulnerability of Louisiana to rising sea-levels, the loss of wetlands and its coastal region, are all issues that were flagged over 40 years ago as matters of urgency. In fact, a previous disaster analysis highlighted that there were over 100,000 citizens in New Orleans that had no means of transport to be able to escape the city, if there were the likely event of a severe hurricane. When Katrina hit in late August of 2005, despite the years of warnings and planning, there were still 100,000 citizens with no means to escape, and hundreds of thousands more forced to flee their homes.

The Federal Response to Hurricane Katrina

Several months after Hurricane Katrina, two significant governmental reports emerged. The U.S. Senate Report titled 'Hurricane Katrina: A nation still unprepared' (2006), produced by the U.S. Senate Committee of Homeland Security and Government Affairs, outlines the key failures of the United States at all levels of government to respond to Hurricane Katrina. A second report was similarly produced in 2006, titled 'The federal response to Hurricane Katrina: Lessons learned.' It was delivered to the President of the United States by the Department of Homeland Security (DHS), written by assistant to the President of Homeland Security, Frances Townsend.

The U.S. Senate report (2006) declares several failures related to neglect by the federal government, most notably: "A failure on the part of all levels of government to plan and prepare for the consequences of Katrina... [and] a failure to act on the lessons of past catastrophes, both man-made and natural" (p.35). The following report by the DHS reinforces several of the points made by the Senate Report. It declares that "there is no question that the Nation's current incident management plans and procedures fell short of what was needed" (Townsend, 2006, p.19). These reports are demonstrative of the long-term failures in the mitigation and adaptation against impending environmental disasters in New Orleans.

One key point to draw from these reports is the discourse of national security as the approach to future prevention. The aftermath of the terrorist attacks of September 11, 2001, saw a federal restructuring and the creation of the DHS in 2002. The mission of the newly founded DHS is stated as "preventing terrorism and enhancing security; managing our borders; administering immigration laws; securing cyberspace; and ensuring disaster resilience" (DHS, 2016). The 2006 report published by the DHS, is relentless in the discourse used to equate an environmental disaster such as Hurricane Katrina, to fighting terrorism, with endless comparisons drawn to the attacks of September 2001: "Terrorists still plot their evil deeds, and nature's unyielding power will continue. There will be tragedies in

our future. Our obligation is to work to prevent the acts of evil men; reduce America's vulnerability to both the acts of terrorists and the wrath of nature" (Townsend, 2006, p.5). Essentially, the post-Katrina discourse sought to match an environmental disaster to a level of threat similar to that of the U.S. war on terrorism. Moreover, it reiterates symbolic acts of national defence, yet fails to see a symbolic act in the consideration of the wider, long-term, potentially disastrous threats of climate change. The notion of "vulnerability," seems to be considered through the lens of war, and the need for military power. U.S. Senate report (2006) offers some acknowledgement to the link between climate change and disasters such as Hurricane Katrina: "The age of terrorism and climate change has ensured that the next occurrence is mainly a question of how and where, not when" (p.34). Yet, it is limited in the stance through which it approaches climate change, due to it being treated largely as an attack.

Reconstruction: Power vs Empowerment

The extremity of the damage caused during Hurricane Katrina, suffocated the livelihoods of hundreds of thousands of citizens. Of the 1.1 million people over the age of sixteen who were evacuated in August 2005, approximately 500,000 of those evacuees had not returned home by late December (Townsend, 2006, p.9). Coining the term 'disaster capitalism,' Klein documents a total of contracts worth $3.4 billion, that were all passed to the "Baghdad gang," (the same American corporations found profiting from the Iraq invasion) for the reconstruction of New Orleans—no open bidding required (2007, p.410). Meanwhile, the poorest affected by the disaster are excluded, from both local and national recovery; post-Katrina New Orleans was prime for gentrification. The aversion of these corporations to hiring local people—who might have seen the reconstruction of New Orleans not only as a job, but as part of the healing and re-empowering their communities—added to the devastation of the hurricane (Klein, 2007). Additionally, the raw opportunity Hurricane Katrina dealt for repealing environmental protections in the Gulf Coast, meant that projects such as new oil refineries and green-light Arctic drilling were all "championed by the president under the guise of responding to the Katrina disaster" (Klein, 2007, p.410).

Katrina represents the ultimate crisis of environmental justice. The social immobility for people to unite and claim justice had essentially been disabled. On the other hand, a federal approach to an environmental disaster on this scale has exemplified a mentality of militarisation and commodification of disaster zones. The spillover of tens of billions private contracts handed out by the Republican controlled congress, induced cuts of $40 billion to the federal budget: "among the programs that were slashed were student loans, Medicaid and food stamps" (Klein, 2007, p.412). The implications of a disaster of this scale is felt nationwide, most notably impacting the poorest in society. The breach of levees during Hurricane Katrina to protect the city, caused detrimental disaster, and attributed to the high death toll as people were unable to escape the water and the damage it caused (U.S. Senate, 2006). The failure to seriously enforce vital protection for citizens in accordance to the 'PAM scenario', were all structural failures that are symbolic of the long-term neglect towards the citizens in New Orleans.

In every way, the aftermath of New Orleans should incite a considerable claim for justice, for it falls to the very consequences that environmental justice seeks to disseminate. If this is a clear case where legitimate claims for justice are expected to arise, why, then, was Katrina not a significant movement for justice? Essentially, those worst impacted by Hurricane Katrina experienced the loss of lives, homes, jobs, communities, and their livelihoods. Yet, these people —who were the legitimate claimants of justice in this case—were incapacitated; which led to the severe disempowerment of communities due to their inability to enact justice.

The impacts of climate disasters are likely to immobilize those who are the most legitimate to make claims of justice, and as long as such disasters are treated with hostility, the United States is unlikely to act upon the profound impact climate change will have on a national, and global level. At the very heart of environmental justice, this case study is representative of the wide-reaching potential behind environmental justice, yet also of its ambiguity, and the little impact it has had in its realization in the political and social sphere.

The Climate Context: Realizing Justice

So far, this paper has demonstrated the profound weakness in claims for environmental justice to be realized in a wider, social context, as well as an inadequate implementation within governmental institutions. The channel between market driven environmental policies and enacting environmental justice has been diluted, largely leaving climate change to be comprehended as a single market metabolism. New Orleans, as a case study, demonstrates the reality that environmental justice can be a manipulated discourse, with little impact on a larger, structural scale.

U.S. Climate policy

For the remainder of the Bush administration, climate change was a largely 'taboo' subject. However, in 2009, the Obama administration adopted a radically different stance towards climate change. The Interagency Climate Change Adaptation Task Force (ICCATF) was formed in 2009, declaring in its first report: "The Obama Administration is committed to reducing greenhouse gas emissions to minimize the impacts of climate change. But mitigation alone is not enough. People are already feeling the impacts of climate change and future changes are inevitable. To prepare and respond to these impacts, the Administration is also committed to climate change adaptation" (ICCATF, 2010, p.6). The recognition of both climate mitigation as well as adaption are crucial for realizing climate justice. There is little wonder, then, that many thought of climate change as a "great equalizer, one issue that affected everyone, the rich and the poor" (Klein, 2014, p.52).

Despite the recognition given to climate change by the Obama administration, there is a failure in materializing climate justice to be an inherent 'right' of society. The immediate removal of any mention of climate change from the EPA website was noted just days after the current American president, Trump, assumed office in 2016. This is symbolic of the weak implementation of these supposedly 'important' future issues, which in the light of a new administration, are rapidly dismissed. U.S. federal law has appeared to have repealed the stricter, protective limits on air pollutants and toxins: 2017 saw President Trump sign an executive order to remove a provision of the Clean Air Act of 2014, essentially rolling back the pressure on large pollutants to reduce their carbon footprint. Shortly after, the withdrawal from the Paris Climate Agreement was announced, leaving the U.S. to be the only nation left in the world, to not have signed it.

Although the Obama administration made significant progression towards addressing climate issues, it can be assumed that the implementation of policies which built upon the environmental and climate justice framework, were merely surface level, and temporary, as they were implemented through the limited context of market environmentalism.

Climate censorship, such as that visible in the recent removal of any mention of climate change from the EPA website, dangerously promotes a denial of science. Even in the context of market environmentalism, it is essential that "a powerful public commitment to science and a strong environmental consciousness are among the most

important cultural characteristics shaping individual countries' abilities to embrace the components of ecological modernization" (Fisher and Freudenburg, 2001, p.705). Science is key to progression, and any active suppression of science in modern society is not only demonstrative of the danger of the 'weak' rhetoric so commonly found in practiced ecological modernisation, it is also a threat to American civil society.

Climate Justice as a Social Movement

A large concentration of the discussion towards environmental justice has expressed the role of social recognition and movements to be intrinsic to the cause. This leads to the question: what are the conditions for environmental justice to be realised, and how? In the rejection of institutional normalisation of environmental justice, the next direction is largely emphasised towards the role of these social movements in the public sphere.

As significant the failure is on an institutional level for climate adaptation within the United States, the same can be said for the social level. One identifiable halt in the movement for climate justice can be the lack of recognition for 'successful' climate results, due to their consequentialist nature (Johnston, 2007). The long-term results of successful climate change mitigation, such as reducing carbon emissions, are not obvious in their success as they are visible in the lack of injustice, as opposed to its visibility in the eye of disaster. Ironically, if we wait for evidence of injustice to arise until acting to mitigate climate change, it will be too late to do anything about it.

Kretz (2012) argues that practice and pedagogy must be empirically rooted in moral psychology regarding motivation and behavioural change. This is particularly prominent in the context of climate change, as it requires not only the processing of information, but it also encourages an ethical interpretation, as well as the moral decision towards responsibility. This, as Kretz (2012) claims, is the bridge between the 'Theory Action Gap,' whereby one is faced with "a clear acknowledgement that basic tenets of morality require a substantive behavioural change— and in terms of less altruistic motivations, the basic tenets of self-interested rationality" (p.13). Yet, what prompts further discussion, is the shocking lack of change as a result. Politically, this has been accredited to the legitimisation of institutional power relations of ecological modernisation, whereas the lack of action from an individual actor can be identified through two different considerations: 1) The consequentialist reasoning behind climate change is not strong enough to incur the need to change. 2) The wide-reaching scope of environmental justice actually immobilises the potential of action, due to the disunited, and vastly unclear claim to justice.

Kretz's argument focuses largely upon the prior point, asserting that "capitalistic narratives dominate the North American imaginary" (2012, p.18). These narratives reflect a heavy psychological conditioning, whereby consumerism has been largely justified in the right of individual freedom in free-market societies. Kretz suggests "a strong activist response is needed in North America to counteract forceful messaging from various sources to hyper consume with abandon and absolve oneself from responsibility" (2012, p.19). Therefore, to overcome the damaging capitalistic narratives, there must be some form of counteraction against the conditioning of constructed consumerist and individualist discourses. To address the second point, it is important to understand climate change as a multiple object, as opposed to one, single object. Through an ontological perspective, one can begin to transcend climate change through the lens of political justice into a dynamic scope of different individual encounters with justice.

Eyerman and Jamison (1991) offer a profound analysis of social movements in the United States. Their approach to social movements is determined by a 'cognitive praxis,' which is witness to the processing of knowledge on a large scale. An historical analysis of movements such as the Civil Rights Movement, crucially acknowledges the

role of "epistemological relativisation" of truth (Ibid., p.53)— whereby factual reasoning can be argued as relative and subjective to perspective, which has proved to be a contestable issue for science in today's 'post-truth' society. In fact, much of today's society seems to work against the potential for social movements; the discrediting of science; the "radical numbness" incurred through individualist, consumerist lifestyles, and the economic burden which either silences the voice of the content or drowns the voice of the suffering. However, recently in the United States, people, especially younger generations, are considerably active on a powerful range of issues. The heightening pressure towards stricter gun laws in the United States is another significant platform of which young school students are especially vocal. Wider movements such as the #MeToo campaign, have sent shock waves through patriarchal structures, all of which complement the drive for recognition and correction of climate justice. The wide-scale protests in the United States prompted by the 'Travel Ban' (Executive Order 13769) in 2017, are indicative of an already conscious and globally oriented society. All challenge crucial institutional 'norms' and injustices, the very institutions that climate justice campaigns also seek to challenge, and the inclusivity of issues that environmental justice sought to embrace. As Klein (2007) affirms, there are "no conspiracies required" (p.426) in the maldistribution of justice—inherently unequal structures are simply reinforced through an economic system that requires constant growth. It is a case for increased social mobilisation, and a collective knowledge that unites the forces for social justice.

Conclusion

In conclusion, there is an indisputable link between the normalisation of environmental justice in the United States, and the failure to realise a sufficient national policy on climate change. It is essential for the United States to adopt legitimate policies serving climate change mitigation and adaption, for both international and national purposes. The unequal consequences incurred by climate change should be seen as a legitimate concern for the United States, as climate change poses threats to issues such as national security, and political and economic stability. The case of New Orleans is demonstrative of failure to take into consideration long-term claims for justice, and long-term planning for climate adaption.

It can be argued that environmental justice is compatible within institutional ecological modernisation—to the extent that it assumes the dominant rule over the latter, as opposed to being used as a pawn for legitimising an increasingly unsustainable economic model. However, this is demonstrated to be challenging, given the uncompromising power instilled within institutions. The so-called implementation of sustainable development into development has only been 'permissible' in its normalisation, rendering it largely ineffectual.

The interesting case of climate change, however, is that it cannot be subjected to this 'neutralisation' in the same manner, for it is already a direct consequence of this prior inadequacy. This presents the unique challenge of climate justice, which, as much as it is a question of how, it also becomes a question of when. It is essential for the United States to recognise its larger role in the mitigation and adaption to climate change. If climate justice is to arrive as an impactful force, it must unite principle with progression, on both an institutional and social level.

References

Agyeman, J., & Evans, B. (2004). 'Just sustainability': the emerging discourse of environmental justice in Britain? The Geographical Journal, 170(2), 155-164.

Anand, R. (2017). International environmental justice: A North-South dimension. Routledge.

Berger, G., Flynn, A., Hines, F., & Johns, R. (2001). Ecological modernization as a basis for environmental policy: Current environmental discourse and policy and the implications on environmental supply chain management. Innovation: The European Journal of Social Science Research, 14(1), 55-72.

Bullard, R. D., & Johnson, G. S. (2000). Environmentalism and public policy: Environmental justice: Grassroots activism and its impact on public policy decision making. Journal of Social Issues, 56(3), 555-578.

Burman, A. (2017). The political ontology of climate change: moral meteorology, climate justice, and the coloniality of reality in the Bolivian Andes. Journal of Political Ecology, 24(1), 921-930.

Carter, A. (2010). Beyond primacy: Marxism, anarchism and radical green political theory, Environmental Politics, 19(6), 951-972, DOI: 10.1080/09644016.2010.518683

Center for Progressive Reform (CPR). (2005). An Unnatural Disaster: The Aftermath of Hurricane Katrina. A Center for Progressive Reform Publication. [online] Available at http://www.progressivereform.org/articles/Unnatural_Disaster_512.pdf [Accessed 01 Mar. 2018].

Chakrabarty, D. (2012). Postcolonial studies and the challenge of climate change. New Literary History, 43(1), 1-18.

Chatterton, P., Featherstone, D., & Routledge, P. (2013). Articulating climate justice in

Copenhagen: antagonism, the commons, and solidarity. Antipode, 45(3), 602-620

Department of Homeland Security. (2016). About DHS. [online] Available at: https://www.dhs.gov/about-dhs [Accessed 8 Mar. 2018].

Dobson, A. *(1998a). "Environmental Politics and Distributive Justice." Justice and the Environment: Conceptions of Environmental Sustainability and Theories of Distributive Justice. pp.10-30.* Oxford University Press.

Dobson, A. *(1998b). "Critical Natural Capital' and Social Justice (Part I)." Justice and the Environment: Conceptions of Environmental Sustainability and Theories of Distributive Justice. pp.87-131.* Oxford University Press.

Dobson, A. *(1999). Fairness and Futurity: Essays on Environmental Sustainability and Social* Justice. Oxford University Press.

Elliott, L. *(1998). The global politics of the environment.* Palgrave Macmillan.

Environmental Justice and Climate Change Initiative (EJCCI). (2002). 10 Principles for Just Climate Change Policies in the U.S. [online] Available at: <http://blackmesawatercoalition.org/wpcontent/uploads/2014/03/PRINCIPLES- EJCC-Ten-Principles-for-CJ.pdf> [Accessed 05 April 2018].

Environmental Protection Agency (EPA). (2017). About EJ 2020. [online] Available at: <https://www.epa.gov/environmentaljustice/about-ej-2020#goals> [Accessed 2 Mar. 2018].

Environmental Protection Agency (EPA). (1992). Environmental Equity: Reducing Risk for All Communities. Washington, DC: Government Printing Office.

Esbjörn-Hargens, S. (2010). An ontology of climate change: Integral pluralism and the enactment of environmental phenomena. Journal of Integral Theory and Practice, 5(1), 183-201.

Eyerman, R., & Jamison, A. (1991). Social movements: A cognitive approach. Penn State Press.

Fisher, W. F. (1997). Doing good? The politics and antipolitics of NGO practices. Annual *review of anthropology, 26(1), 439-464.*

Fisher, D. R., & Freudenburg, W. R. (2001). Ecological modernization and its critics: Assessing the past and looking toward the future. Society & natural resources, 14(8), 701-709.

Fraser, N. (2005) Reframing Justice in a Globalizing World, New Left Review, 36.

Hulme, M. (2009). Why we disagree about climate change: Understanding controversy, inaction and opportunity. Cambridge University Press.

ICCATF. (2010). Progress report of the interagency climate change adaptation task force: Recommended actions in support of a national climate change adaptation strategy. Washington, DC: White House Council on Environmental Quality. 19

Ikeme, J. (2003). Equity, environmental justice and sustainability: incomplete approaches in climate change politics. Global environmental change, 13(3), 195-206.

IPCC. (2007). Climate change 2007: The physical science basis: Summary for policymakers. Contribution of the Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge: Cambridge University Press

Jacobs, M. (1999). Sustainable Development as a Contested Concept. In Andrew Dobson (ed.), Fairness and Futurity: Essays on Environmental Sustainability and Social Justice. Oxford University Press.

Johnston, R. J. (2007). Representative democracy and environmental problem solution. Sage Handbook of Environment and Society, London: Sage, 281-298.

Klein, N. (2007). *The shock doctrine: The rise of disaster capitalism.* Macmillan.

Klein, N. (2014). *This changes everything: capitalism vs. the climate.* New York: Simon & Schuster.

Kretz, L. (2012). Climate change: Bridging the theory-action gap. Ethics & the *Environment, 17(2), 9-27.*

Knox, H. (2015). Thinking like a climate, Distinktion: Scandinavian Journal of Social Theory, 16:1, 91-109, DOI: 10.1080/1600910X.2015.1022565

Laukkonen, J., Blanco, P. K., Lenhart, J., Keiner, M., Cavric, B., & Kinuthia-Njenga, C. (2009). Combining climate change adaptation and mitigation measures at the local level. Habitat international, 33(3), 287-292.

Laurent, E. (2011). Issues in environmental justice within the European Union. Ecological Economics, 70(11), 1846-1853.

Manuel-Navarrete, D. (2010). Power, realism, and the ideal of human emancipation in a *climate of change. Wiley Interdisciplinary Reviews: Climate Change, 1(6), 781-785.*

Mellor, M. (2007). Ecofeminism: Linking gender and ecology. The SAGE handbook of *environment and society, 66-77.*

Miller, D. (1978). Democracy and social justice. British Journal of Political Science, 8(1), 1-19.

Mol, A. P., & Sonnenfeld, D. A. (2000). Ecological modernisation around the world: An introduction. Environmental Politics, 9(1), 3-14.

Pepper, D. (2005). Utopianism and environmentalism. Environmental Politics, 14(1), 3-22.

Rawls, J. (1971) A Theory Of Justice. Harvard University Press

Rootes, C. (1999) Environmental movements: From the local to the global, Environmental

Politics, 8:1, 1-12, DOI: 10.1080/09644019908414435

Schlosberg, D. (2009). Defining environmental justice: Theories, movements, and nature. Oxford University Press.

Shue, H. (1995). Ethics, the environment and the changing international order. International Affairs, 71(3), 453-461.

Stern, N. (2008). The economics of climate change. American Economic Review, 98(2), 1-37.

Taylor. (2000). 'The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses', American Behavioral Scientist, 43(4): 508–80.

Townsend, F. F. (2006). The federal response to Hurricane Katrina: Lessons learned. Washington, DC: The White House.

Tully, J. (1995). Strange Multiplicity: Constitutionalism in an Age of Diversity. Cambridge: Cambridge University Press.

United Nations Commission on Environment and Development (UNCED (1987). Our *Common Future - Brundtland Report. Oxford University Press.*

United Nations Development Program (UNDP). (2008). Fighting Climate Change: Human Solidarity in a Divided World. Human Development Report 2007/8. Available online at <http://hdr.undp.org/sites/default/files/hdr_20072008_summary_english.pdf> Accessed 08 Mar. 2018.

United Nations Development Program. (2011). Sustainability and Equity: A better future for all. Human Development Report 2011. [online] Available at: <https://ssrn.com/abstract=2294671> [Accessed 8 Mar. 2018].

U.S. Senate (2006). Hurricane Katrina: A nation still unprepared. Rep. to the Committee on *Homeland Security and Government Affairs, Washington, DC.*

Vanderheiden, S. (2008a). Atmospheric justice: A political theory of climate change. OUP USA.

Vanderheiden, S. (2008b). Radical environmentalism in an age of antiterrorism. Environmental Politics, 17(2), 299-318.

Weale, A. (1992). The new politics of pollution. Manchester University Press.

Winslow, M. (2005) Is Democracy Good for the Environment? Journal of Environmental *Planning and Management, 48(5), 771-783.*

World Resources Institute. (2014). 5 Charts Show How Global Emissions Have Changed Since 1850. [online] Available at: http://www.wri.org/blog/2018/04/5-charts-show-how-global-emissions-have- changed-1850 [Accessed 2 Mar. 2018].

Young, I. (1990). Justice and the Politics of Difference. Princeton, NJ: Princeton University Press.

16

MUSIC AND THE CLIMATE CRISIS

Hannah van den Brul

Environmental Justice

Nasa's Global Climate Change team reports that 97% of scientists identify the climate crisis as being human-induced: overpopulation, fuel combustion and meat consumption are the primary causes of increased levels of carbon dioxide, methane, water vapour and nitrous oxide in the atmosphere (NASA, 2017.). These gases combine to cause the 'greenhouse effect', which traps heat radiating from the Earth: triggering climate-hazards such as global temperature rise, sea level rise, ocean acidification and extreme weather events (NASA, 2017). These climate hazards, as well as upsetting the natural environment, lead to severe human impacts. In tandem with the rise of climate change, the UN Refugee Agency has identified that 'on average 24 people were forced to flee each minute in 2015, four times more than a decade earlier' (Edwards, 2016). The Environmental Justice Foundation furthers: '[Climate change] amplifies both existing and emergent pressures – such as high population growth, resource scarcity, poverty and poor governance – and can create tipping points where states are 'pushed' over critical thresholds and erupt into instability and conflict' (EJF, 2014). Climate change is a 'threat multiplier': a notable contributor to both displacement and escalating conflict worldwide (EJF, 2014). Who is responsible?

The top three polluting territories - China, the US and the EU - account for over 50% of greenhouse gas emissions worldwide (WRI, 2017). Meanwhile, the 100 least polluting countries - territory including the majority of Africa - contribute a combined 3.5% (WRI, 2015). The Global North is causing the bulk of the damage but the planet's 'poorest and most vulnerable' are hit first. Of the escalating number of refugees, the Environmental Justice Foundation say:

> "Many are among our planet's poorest and most vulnerable people. These are the first victims of our failure to prevent climate change: people who, without international help and new binding agreements on assistance, have nowhere to go and no means to survive" (2017).

Forced migration due to climate change is occurring and underreported, in areas including Darfur, Somalia and sub-Saharan Africa, impacted by water scarcity (McNeish, 2016). Nepal, India and also Bangladesh, where monsoon floods last summer were so extreme as to lead Oxfam to report that 'two-thirds of the country is under water' (Oxfam, 2017). The Philippines was devastated by a series of typhoons which, since 2013, had displaced 15 million by early 2017 (Benko, 2017). Areas already on the brink of starvation, as indicated by the Global Hunger Index, are the same areas worst affected by the occurrence of climate hazards.

To conclude on Environmental Justice: climate change is induced primarily by people in the Global North, causing mass displacement and escalating conflict, with the Global South suffering more acute and long-term impacts. The climate crisis is not just an ecological concern for the planet: it is a question of global inequality, of breached human rights, with severe implications for the world's most vulnerable.

Short-termism

The US President Donald Trump, who continues to defend his stance that climate change is a hoax 'created by and for the Chinese in order to make U.S. manufacturing non-competitive', is acting on his electoral promise to cancel billions of dollars in climate change spending (Trump, 2012). President Trump has ended federal funding of the United States Environmental Protection Agency (the EPA), administering the requirement that 'all scientific studies and data from the EPA undergo review by political staff before publication' (Elledge, 2017). He also signed The Energy Independence Executive Order, which both suspends climate change measures enacted by Obama and boosts the fossil fuel industry and announced on the 1st of June 2017 the withdrawal of the US, the world's second most polluting territory, from the Paris Climate Agreement (BBC, 2017). He rolled back the Federal Flood Risk Mitigation Standard, which planned for future flooding risks, just weeks before Storms Harvey and Irma impacted mainland US: hurricanes that, if not directly caused by climate change, saw higher rainfall and flash flooding more intense due to increased land and ocean temperatures. Trump's position on climate change is in line with his wall-building nationalism; his gamble on deficit spending; the tax cuts and deregulation: Trump's big agenda to 'Make America Great Again!'. The self-interested policies might succeed in accelerating America's economic growth in the short-term, but the repercussions will be felt worldwide (Elliott, 2016).

Meanwhile, it is reported that Sweden, Germany and France are the only EU countries genuinely pursuing the Paris climate targets, to cut carbon emissions by 40% by 2030 and limit global warming to 2C (Neslen, 2017). In Europe too, political short-termism is the primary obstacle to appropriate action: with the high upfront costs of climate change reversal and tangible events acting respectively as deterrents and distractions. So European countries are looking for loopholes, reminiscent of the VW 'diesel-gate' scandal of 2015, to help meet emissions targets (Neslen, 2017).

Our representative politicians, even those who publicly testify that climate change is happening, are not making or enforcing the policy changes necessary to curb the climate crisis. Furthermore, the trend for post-truth anti-intellectualism has erupted in a war on science, compounded by mass-media and the readiness of unfounded information on the internet. This situation, where - according to scientist and communicator Neil deGrasse - 'people have lost the ability to judge what is true and what is not', last year prompted unprecedented marches for science (DeGrasse, 2017). Across the world people in their hundreds of thousands protested against the rise of science denial. How has it come to this point where the long-researched science is being refuted, where scientists have to protest to be heard?

Science Messaging

Roderick J Lawrence, in his paper for *Tackling Wicked Problems* - a series of essays on creative approaches to solving our survival problems, distinguishes three 'barriers to change' that I would argue, when applied to the current predicament of science - are also 'barriers to truth': 'conceptual barriers', 'institutional barriers' and 'social barriers' (Lawrence, 2010, p26). The relatively poor communication of scientists; the echo chamber of its institutions; and the lack of coordination between scientists, politicians and the public have all contributed to a loss of science credibility. Lawrence furthers that 'conceptual barriers are more influential than the institutional and social barriers' (p27) and these he qualifies as 'inapt analogies, metaphors and models' (p27). The inherent 'wickedness' of climate change as a concept (Hulme, 2009, p334) - frustratingly abstract, of mind-bending complexity and incomparable

to any sole other scientific or social issue is compounded by the 'deficit model' of science communication (Marshall, 2014, p123).

According to climate communications expert George Marshall, scientists 'have become so bruised by their political battles' that they use 'uncertain'(p76) and 'weak'(p231) language - interspersed with 'psychologically distancing' pictures of polar bears and Arctic ice caps (p131) - repeated in the same way, 'over and over and over again' (2014, p123). Eco-musicologist Aaron S. Allen furthers the critique of the language of scientists: describing it as 'tentative', overly cautious about sounding alarmist, and therefore as not truly reflective of the urgency of the climate crisis:

The methods and objectives of science have led scientists to couch their own findings and critiques in tentative terms that typically downplay the urgency and danger of the environmental crisis; essentially, they seek to maintain their objectivity and try not to come across as activist, with the unintended result that non-scientists misconstrue their arguments. (Allen, 2011, p417).

'Only about one in eight Americans (13%) understand that nearly all climate scientists (more than 90%) are convinced that human-caused global warming is happening' according to Yale's *Climate Change in The American Mind* survey of 2017 (Leiserowitz et. al., 2017). With essential information so weakly conveyed to the public, it is fair to say that scientists haven't maximised their messaging. How much the language of climate scientists, or climate scientists themselves are to blame for the disciplinary confinement of their field is questionable, however. Neither the 'conceptual barriers', the 'institutional barriers' nor the 'social barriers' of the science predicament properly account for the fact that people en-masse are choosing not to think about the climate crisis (Marshall, 2014). When it comes to the climate crisis the general public - just as politicians - have their reasons 'for not knowing and not wanting to know' (Smithson, 2010, p84).

Why Music?

The section on 'Environmental Justice' has underlined the need for us to address the human injustice of the climate crisis and I have demonstrated that neither politicians nor scientists are taking the action necessary. In light of the urgency, Allen and Dawe's proposal for 'a greater collaboration between scientists and humanists' is salient (Allen & Dawe, 2016, p.18). Science needs support to communicate its message of truth to an unwilling audience and to move climate change from an environmental to a social reality, where human responsibility - the question of 'how should we live our lives?' is the focal point (Corner & Clarke, 2016, p101). A bridging of the two cultures of science and music would de-compartmentalise climate knowledge: bringing together 'people with radically different understandings of the world' and opening up a new territory for discourse (Lawrence, 2010, p5). Transdisciplinarity has the potential to improve our collective understanding of the problems we face and to inspire new solutions to the climate crisis. Making a claim more specifically for the benefits that music can bring to science, Mark Pedelty, in his contribution to *Current Directions in Ecomusicology,* asserts that music can initiate unique platforms for 'creative dialogue': Rather than the transmission model of communication, sending message A to listener B, music involves complex ecologies of meaning. It is about mediation rather than simple messaging. Artists tend to be more adept at mediating community concerns - providing new perspectives to initiate creative dialogue… (Pedelty 2016, p.209). Unlike the one-way and often top-down process of climate science messaging, the 'ecologies of meaning' in music are discreet and therefore have stronger potential to impact a resisting mind. The intangible and complex qualities of this form of art are fitting with the aforementioned 'wickedness' of the global climate change predicament. Among its qualities, music is audible; aesthetic; mental; emotional; physical; and

temporal: it simultaneously engages multiple parts of the brain. The potency of music as a complex communicating medium is proven by music's central role in forming and sustaining communities worldwide and, perhaps more quantitatively, by its value as an integral component of advertising campaigns and high grossing blockbuster films. The syncing of music for marketing is a lucrative industry because of music's ability to sell an object, an idea or a storyline: essentially, to change people's minds.

In addition to assisting scientists with the impact of their messaging, making music around the theme of climate change means 'interjecting critical questions into an otherwise a-critical context' (Allen & Dawe, 2016, p209). Too often scientists are talking to a room full of scientists: to people who are already aware of climate change and have already adapted their lives accordingly. Music can cut across borders, disciplines and sectors; political, economic and social status. Making music around climate change - transdisciplinarity - opens up the echo chamber.

Meanwhile, music's more therapeutic qualities might address the current tendency to look away from the facts of climate change: the previously mentioned 'reasons for not knowing and not wanting to know' (Smithson, 2010, p84). Confronting the climate crisis causes 'grief': it is said that thinking about climate change isn't too dissimilar to be thinking about death. This was spoken about at an event I attended in March last year, hosted by the UK's leading arts and sustainability organisation 'Julie's Bicycle'. This 'grief' has also been acknowledged under various different names in the burgeoning field of eco-musicology: 'what is common to the current interest in ecological topics is a pronounced sense of acute crisis …[an] apocalyptic strain' (Rehding, 2011, p409). 'Despair'(p409), induced by a sense of acute crisis or 'apocalypse' can be paralysing. Music is widely acknowledged for having 'healing' properties, which might come in the form of finding a song pleasurable to listen to; or perhaps from the sense of community that music can engender. A sense of community formed when music, listened to together by a group of people, creates collective entrainment: where the patterning of brains; the pulse of hearts; the stepping of feet, all align to the same temporal properties of music. Music, in this way, might also produce a shared nostalgia: a collective cultural memory that can engender the sense of community. The 'complex ecologies of meaning' (Pedelty, 2016, p.209) in music can be harnessed to create a 'goldilocks dialectic' - 'neither too much nor too little grief', collective 'healing' enough to turn the apocalyptic grief into positive action (Marhsall, 2014 p128). As Rehding quotes Rousseau, rather than follow the 'Aidez-moi' (help me!) route of grief and despair, music might evoke the 'Aimez-moi' (love me!) of hopeful community (Rehding, 2011, p414).

Lola Perrin

From New York, but a long-term Londoner, Lola Perrin has been composing and performing music and climate change works for twelve years and for the past five years exclusively. After seeing her in concert in January, I invited Lola to interview to ask about the progression of her work, both conceptual and material. My aims were pragmatic: 1) to come to a better understanding of how musicians might collaborate with scientists around the salient subject of climate change, and 2) to discover how combined, they might have most impact, activating the widest audience into action on climate change. In this second half of the paper I will detail the chronology of Lola's music and climate change compositions, drawing out some of the important progressions of her work before looking towards ethical 'glocal' performance.

Compositions

Lola Perrin has created and performed four major works in music and climate change. The first came about by chance:

> When I wrote that first response to climate it was an accident. I was working very closely with visual art, and I decided I wanted to write a piano suite from a piece by Rachel Whiteread, whose work I had been overwhelmed by. The way I approached it then was to think visually: so, to imagine the shapes changing and to use those imagined peaks and troughs and literally translate that into musical lines. (Perrin, 2017)

In mimetic fashion, Lola set the imagined shapes and spaces of the changing Arctic ice to minimalist piano. Lola's next piece *Let's Start at the End* went down the route of engaging with dystopia: she developed a musical narrative based around the human journey to self-destruction:

> By Let's Start at the End I was much more aware of climate change, and, as many artists do, I went down this route of engaging with dystopia: so, I developed a story in my mind, a storyline? And that's what drove it. I didn't turn to art, I created a series of scenes in my mind… I was trying to understand how society had arrived at this point in which we had climate change. (ibid)

Engaging with the facts of climate change, Lola experienced what she would later in the interview term as 'hand-wringing', in line with the aforementioned 'grief'. This materialised as an apocalyptic composition, typical of all art forms dealing with the theme of climate change: from popular novels including *The Year of the Flood* by Margaret Atwood, to high grossing movies such as *The Day After Tomorrow*. Dystopian art might be cathartic, but - typically involving high sensationalism - runs the risk of appropriating climate change as a mere form of entertainment. This can put in question the authenticity of the message and compound the avoidance of facing up to the real issues of climate change.

For the third piece, called *Now You See It,* Lola went to the experts. Lola interviewed twenty-three leading campaigners, scientists, writers and activists from all over the world, asking - as she termed it - 'some very weird and ethereal questions' (Lola Perrin) to cue emotional language for an aural mood canvas which she then set to music. Developing this composition brought her to the conclusion that: 'The experts are not going to save us. They're going to tell us what we need saving from. We have to save us.' (Perrin, 2017) *Significantus,* her current work stemmed from this idea. The idea that: 'We are all significant: we all have the agency to affect change' (Perrin 2017).

'Significantus'

Lola realised that to affect change, people need to be talking about the problem: she decided to put the conversation about climate change into her work. According to the printed manuscript, *Significantus* is a 'suite for piano, guest speaker and audience conversation'. The suite is structured so that titles are read out for each movement: among them 'We are the crew of a largish spaceship for 9 billion' and 'Do not disturb, sleepwalk in process'. These were devised to fit the music with the help of climate experts Mark Maslin, professor of climatology at University College London, and Paul Allen, coordinator of Zero Carbon Britain, and who each provided her with original quotes. The eighth movement is a brief talk by a climate expert who then facilitates a twenty-minute audience

conversation. After the conversation, a final piano piece titled 'Imagine better, create' is performed and Lola thanks the audience for their participation.

The concert of *Significantus* that I attended in January was performed in near-darkness. While the main lights are turned on for the climate change speaker and following audience conversation, there are no visual stimulants, no power point presentations. Of her reasoning behind this, Lola says:

> I just want people to be using their imagination. All of us in the room to be using our imagination. Audio only in darkness and just taking time out from all the massive input of information that we all have at the moment. Really just trying to not be distracted by 'that's a pretty picture!' or 'another melting iceberg!'.

Without distraction, the audience are better able to inwardly reflect on their own experience with climate change and to collectively engage with the music and words of the performance.

Developments in Lola's work

I have identified three important developments in Lola's work of the past twelve years. 1) Lola has gone from being distantly inspired by climate change science through visual-art, to collaborating first hand with scientists. 2) From simply performing *to* an audience, she now involves them: they are meant to lead the conversation. 3) She has progressed from performing to a local audience, to a 'glocal' audience. I lay out development 1) expanding on 'trandsciplinarity' by drawing on examples to demonstrate how Lola collaborates with climate science experts. I then overview the benefits of 2), the 'active audience', before expanding in detail on 3) the 'glocal' aspect of her work.

1) Art+ Science

Lola is now collaborating first hand with climate change experts. From being inspired by visual-art about climate change; to reading academic science papers; to interviewing scientists and composing music around their quotes, the scientist is now also a part of the performance. The inclusion of a climate expert in her work means a move beyond the 'ephemeral' qualities of non-lyrical music, making a more tangible, fact-based musical performance about climate change. I shall now draw on examples of how Lola collaborates with climate scientists, with the aim to expose some of the benefits of transdisciplinary practice. Of the writing process for *Significantus*, Lola explains how she 'fine-tuned' the quotes provided to her by climate expert Paul Allen, to form titles that fit the music:

> I made a long exploration into what I should write for this: going through many many different titles, fine-tuning them for a very long time while I was fine-tuning the music. I would hone in on certain words and certain ideas within Paul Allen's quote, and then I would follow my own artistic thinking and create storylines in my mind. So, my musical response to 'We're sleepwalking through the shopping malls' for instance, turned the title into "Do not disturb! Sleepwalk in process!"

Lola's process of refining the composition by letting the climate science expert's quote inform the music and visa-versa ensures that the titles and music complement each other, maximising their messaging. Individually, the titles for each movement of the suite act as meditative prompts: guiding the audience as it listens to the music. Understood together, the series of titles form a narrative, with the opening 'We are the crew of a large spaceship for 9 billion' encouraging the audience to picture themselves as it's subjects: as part of the whole human race,

the '9 billion' crew of the spaceship. Imagining the entire global community together on a journey stimulates the audience into meditating on more global values. These values, combined with the effect of a narrative, both arrived at through collaboration between scientist and musician, encourage a strong sense of 'climate citizenship' or 'civic responsibility' (Corner & Clarke, 2016).

2) Active Audience

The piano music from Lola, its titles, and the talk from the scientist all have the shared goal of facilitating conversation around climate change - of establishing dialogue between the audience for the 8th movement of the piano suite. The audience are the 'significant' centre of this work: the potential agents of change.

In *Significantus,* the 'monologue' communication system of climate science's traditional 'A to B messaging' (Pedelty 2016, p.209), becomes 'dialogue'. The climate expert acts as 'facilitator', guided by prompts provided by Lola, and people who are typically bystanders are invigorated into conversation. The breaking with traditional performer-audience boundaries is in line with the participatory theatre philosophy of Brazilian theatre practitioner Augusto Boal, who, like Paulo Freire, aimed to wake up the 'passive spectator' (Boal, 1993)

The audience is in a state of engaged listening, having attended thirty minutes of music and titles, without visual distraction, in near-darkness. With the sense of community engendered by the music, this state of engaged listening lends to more receptive conversation and the expert speaker 'facilitator' invites the 'spect-actors' (Boal, 1993) to play with ideas in the pursuit of answers to the social problem of climate change. Audience members share personal stories of their experiences with climate change, their concerns and their ideas for what can be done. This peer-to-peer exchange of stories gives the environmental crisis a human face, rendering it more tangible, encouraging the audience to feel a stronger sense of the aforementioned 'civic responsibility' or 'climate citizenship'.

3) Glocal

In *Rock, Folk and the Environment,* ecomusicologist Mark Pedelty explores the cost-benefit ratio of popular music speaking up about climate change. He investigates the spectacle of 'high-powered sound and light systems', 'consumer product sponsors' and 'unsustainable touring' and determines that the 'medium is contradicting the message' (Pedelty, 2012, p.30). The artists best positioned to communicate to large audiences are the artists least suited to talk about climate change. For climate messaging to be credible and avoid 'environmental hypocrisy' (p.30), the medium must be aligned: there needs to be an active climate policy in place. Pedelty's ensuing publication *A Song to Save The Salish Sea* is a response to his previous work. Here he tracks the activity of seven grassroots music and climate change case studies and argues that, due to their credibility, these small initiatives have more real impact in changing people's attitudes and behaviours around climate change than environmental music by artists who tour and draw in audiences on an international scale. The issue with Pedelty's examples is that the local reach of the grassroots groups is so minimal - and the option of platforming them online in digital communities so 'weak' compared to 'face-to-face community building' (Pedelty, 2016, p225) - that for the necessary level of action on climate change to be invigorated, they would need to happen everywhere.

This brings us back to Lola Perrin. Lola is grassroots: she is self-trained, she works independently, and she has a climate policy in place, both in private and at work. Lola will only perform where the train will take her. Also, she is taking her 'local' climate change conversation to the world stage: exporting the framework of the *Significantus*

concert around the globe in the form of *Climate Keys.* The idea is that the concerts with guest speaker and audience conversation will take place locally in 195 countries during the COP 23, the UN Climate Convention taking place in November this year. She says that 'COP 22 happened, and nobody noticed'. The *ClimateKeys* performances are staged by local performers, with local climate experts and local audience. As Lola insists: 'You get the concert where you live. You don't travel for the concert.' In the US, Lola hopes to find a performer for every State and is targeting Republicans, corporate decision makers and affluent citizens: people who most need to take part in the conversation and curb their behaviours.

As well as reducing the carbon footprint of the concert, glocal concerts means that the conversations might be held between people with the same localised climate concerns. According to climate communication experts, networks of engagement emerge among people with shared values, and with climate change such a complex 'wicked problem', there are an unlimited number of stories being told about how to respond to it. The local nature of the *ClimateKeys* performances makes it more likely that the right stories will be shared with the right audience - who share the same local values and concerns - to prompt appropriate action. That the local musicians, scientists and audiences understand that they are taking part in something global - that other *ClimateKeys* concerts are happening across the world - means that the concerts invite consciousness of a shared world.

Conclusion

There is a case for music and climate change given the current climate of 'environmental justice', 'political short-termism' and poor 'science messaging'. Music's more creative messaging and its hidden 'ecologies of meaning', cooperating with the sciences, might promote a more positive conversation about the ecological issues that face humanity. Lola Perrin's position that 'climate change should be at the centre of everything we do' and her work, with climate policy in place, reflect this ethos. Over the past twelve years she has devised works that have trended towards greater interdisciplinary between music and science, towards audience participation, and towards local action on a global stage. She is now exporting the framework of her music and climate change conversations around the world. This 'glocal' musical effort has potential as a credible means to promote wide scale creative dialogue around climate change.

References

Allen, Aaron S (2011) 'Prospects and Problems for Ecomusicology in Confronting a Crisis of Culture.' *Journal of the American Musicological Society* 64 (2): 414-424

Allen, Aaron & Dawe, Kevin (2016) *Current Directions in Ecomusicology: Music, Culture, Nature* New York: Routledge

BBC. (2017) 'Trump signs order undoing Obama climate change policies'. *BBC News,* 29 March. Available from https://www.bbc.co.uk/news/world-us-canada-39415631

Boal, Augusto and Charles A. McBride 1993. *Theatre of the Oppressed* London: Routledge

Benko, Jessica (2017). 'How a Warming Planet Drives Human Migration'. *New York Times,* 19 April. Available from https://www.nytimes.com/2017/04/19/magazine/how-a-warming-planet-drives-human-migration.html?mcubz=3

Colmeiro, José (2009) 'Smells like Wild Spirit: Galician rock bravú, between the "rurban" and the "glocal."' *Journal of Spanish Cultural Studies* 10 (2):225-240

Corner, Adam and Clarke, Jamie (2016) *Talking Climate: From Research to Practice in Public Engagement* Switzerland: Palsgrave Macmillan

Edwards, Adrian (2016). Global forced displacement hits a record high. *UNHCR,* 20 June. Avaliable from https://www.unhcr.org/afr/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html

EJF (2014). *The Gathering Storm: Climate Change, Security and Conflict.* London: Environment Justice Foundation. Available from https://ejfoundation.org//resources/downloads/EJF_climate_conflict_report_web-ok.pdf

Elledge, Jonn (2017). 'Here are 23 terrifying things that President Trump has done in the last seven days'. *NewStatesman,* 26 January. Available from https://www.newstatesman.com/world/2017/01/here-are-23-terrifying-things-president-trump-has-done-last-seven-days

Elliott, Larry (2016). 'Donald Trump's economic policies could go badly wrong – but not soon enough'. *Guardian,* 19 November. Available from https://www.theguardian.com/business/2016/nov/19/trump-economic-policies-growth-us-economy?CMP=Share_iOSApp_Other

Hulme, Mike (2015) 'Climate And Its Change's: A Cultural Appraisal' *Geography and Environment 2* (1): 1-11

Lawrence, R.J. (2010) 'Beyond Disciplinary Confinement to Imaginative Transdisciplinarity' *Tackling Wicked Problems.* New York: Earthscan

Leiserowitz,A., Maibach,E., Roser-Renouf,C., Rosenthal,S.,& Cutler,M. (2017). *Climate change in the American mind.* New Haven: Yale University. Available from http://climatecommunication.yale.edu/wp-content/uploads/2017/07/Climate-Change-American-Mind-May-2017.pdf

Marshall, George (2014) *Don't Even Think About It: Why Our Brains are Wired To Ignore Climate Change.* New York: Bloomsbury

McNeish, Hannah (2016). 'Farmers in Sudan battle climate change and hunger as desert creeps closer'. *Guardian,* 19 December. Available from https://www.theguardian.com/global-development/2016/dec/19/sudan-faremers-battle-climate-change-hunger-desertification

Neslen, Arthur (2017) 'Only Sweden, Germany and France among EU are pursuing Paris climate goals, says study'. *Guardian,* 28 March. Available from https://www.theguardian.com/environment/2017/mar/28/only-sweden-germany-france-pursuing-paris-climate-goals-study

Oxfam International (2017). '43 million hit by South Asia Floods: Oxfam is responding'. *Oxfam International,* 31 August. Available from https://www.oxfam.org/en/pressroom/pressreleases/2017-08-31/43-million-hit-south-asia-floods-oxfam-responding

Pedelty, Mark (2012) *Ecomusicology: Rock, Folk, and the Environment.* Philadelphia: Temple University Press

Pedelty, Mark (2016) *A Song to Save the Salish Sea.* Bloomington & Indianapolis: Indiana University Press

Rehding, Alexander (2011). 'Ecomusicology between Apocalypse and Nostalgia.' *Journal of the American Musicological Society* 64 (2): 409-414.

Smithson, 2010 'Ignorance and Uncertainty' *Tackling Wicked Problems.* New York: Earthscan

PART V

CHINA: THE NEW SUPERPOWER

17

CONTESTING WESTERN DEVELOPMENT MODELS: HOW INCREASING INTEGRATION BETWEEN AFRICA AND CHINA HAS SHAPED DEVELOPMENT IN AFRICA OVER THE LAST TWENTY-FIVE YEARS

Chanju Mwanza

Introduction

The discourses on post-independence African development and globalization have largely centred on criticism of an apparent 'hero-victim' paradigm where the western 'developed' world rescues 'underdeveloped' African states. Over the last twenty-five years emerging BRIC economies began to play a part in this narrative, leading to recent debates on the so-called 'scramble for Africa'. China initiated an outward-looking strategy in 1999 that encouraged investment and the reorganisation of economic powers in Africa, offering a new South-South globalized context for development that omits the traditional Western gaze. In this essay, Zambia and the Democratic Republic of Congo (DRC) will be used as case studies to illustrate how increasing integration between China and Africa has shaped development. As a heterogeneous region, the narrative refutes the assumed universality of the African experience. This essay will demonstrate varying consequences of China's role by analysing both empirical and anecdotal evidence, acknowledging the plurality of realities according to each country's social, economic, political and geographical environments. As a springboard, China's 'win-win' partnership strategy will be discussed, whilst applying this model to the given case studies. The analysis then considers labour relations and poverty reduction before challenging the sustainability of Sino-African relations. The conclusion will consist of evaluations of the similarities and discrepancies in China's Africa model, drawing upon examples from China's economic integration with Zambia and the DRC.

China's involvement in Africa: A comparison between Zambia and the DRC

While the West adopted a development strategy wherein financial programmes went hand in hand with conditions imposed on African governments, China's involvement in Africa shaped development by introducing an alternative model that centres on commodity trade and non-conditionality. Godwin Onuoha (2015, p.278) described the 1980s and 1990s as 'lost decades' for sub-Saharan Africa, characterised by structural adjustment programmes initiated by the International Monetary Fund (IMF). However, during the 'Africa Rising' period, China rapidly increased economic involvement in the region. By 2015 China's commercial spatial interaction in Africa through trade flows and investment spanned almost the entire continent.

Beijing's framework, inspired by the 1999 'Going out' strategy and enforced by President Hu Jiantao in 2002, encouraged a 'building of "win-win" situations premised on principles of non-interference in domestic politics and non-conditionality in the provision of aid and investment' (Strauss and Savedra 2009, p.13). This bilateral relationship gives China access to commodities, such as raw materials, in exchange for concessional loans, or Foreign Direct Investment (FDI) to enhance Africa's infrastructure. From a postcolonial standpoint, by rejecting

imperialist conditions enforced by the West, China's strategy enables African governments to retain sovereign power. However, critics affirm that China's extractive behaviour is equally neo-colonial as it robs the region of its raw commodities, incites a cycle of debt and encourages repressive governments. China's strategy in Africa has shaped development using a minerals-for-infrastructure model that retains African sovereignty. However, this approach also incites further debt.

China uses this model for economic integration with both the DRC and Zambia. Despite sharing a border and possessing similar primary commodities as evidenced in *Figure 2*, contrasting socio-economic histories have resulted in the two countries being markedly distinct in terms of GNI per capita, HDI ranking and growth.

Figure 2: Country Profiles, Zambia and the DRC

	Zambia	The Democratic Republic of Congo
GDP US$ (2016)	21.064 billion	31.931 billion
Population (2016)	16.6 million	78.7 million
GNI per capita US$ (2016)	1.360	430
HDI Ranking (2016)	139/187 countries	176/187 countries
HDI Growth %, 1990 - 2015	1.51%	0.81%
China Export Value US$ (2016)	2.5 billion	2.61 billion
Primary Commodities & Export percentages (2016)	Refined Copper (57%) Raw Copper (18%) Raw Tobacco (2.6%)	Refined Copper (47%) Cobalt (13%) Raw Copper (5.1%)

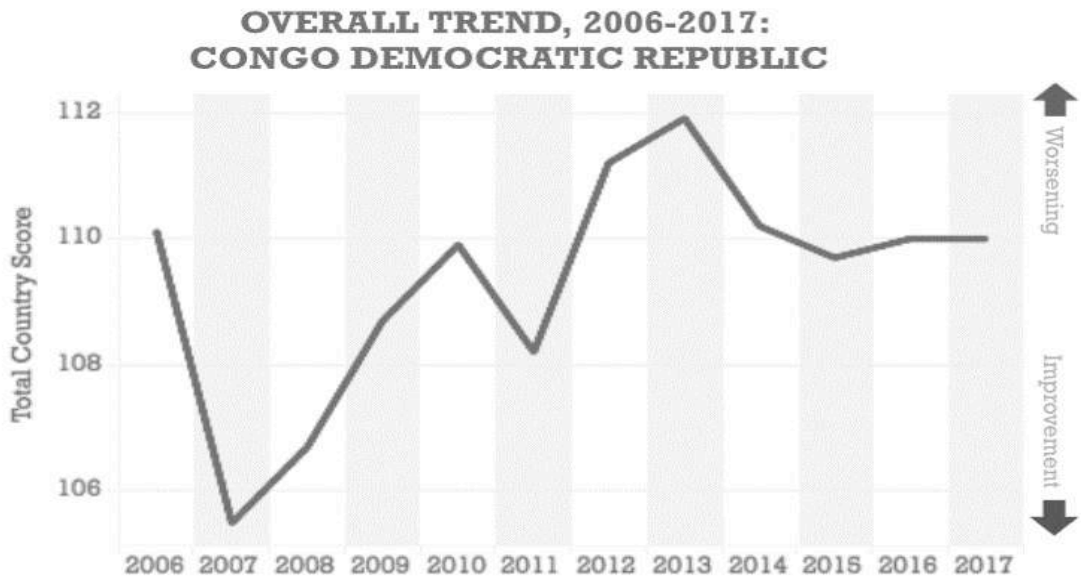
Sources: World Bank (2016a; 2016b), United Nations (2016a; 2016b; 2016c; 2016d), The Observatory of Economic Complexity (Simoes, A. and Hidalgo, C. 2016)

Zambia is one of the largest copper producers in the world, accounting for 4.4 % of global copper output in 2011 (KPMG International Cooperative, 2013). The Zambian Ministry of National Development Planning (2017) recognized inadequate public infrastructure as a major crux in the nation's development plan, impeding poverty reduction efforts whilst holding back economic activity, resulting in low competitiveness. It is therefore unsurprising that Zambia welcomed China's 'minerals-for-infrastructure' model. The China Non-Ferrous Metals Corporation (CNMC) has been operating in copper extraction and processing following the privatisation of Zambian Consolidated Copper Mines. In 2003, CNMC convinced the Zambian local authorities to create Africa's first Chinese Special Economic Zone (SEZ) in Chambishi town. These SEZs allow Chinese enterprises to 'enjoy tax and investment incentives, custom duty waivers, work permit approvals for Chinese expatriate labour, and discounted load and services' (Davies 2008, p.137). Recently, former Minister of Planning Lucky Mulusa (2017) claimed that China held the 'largest contracts in the infrastructure sector amounting to about 83%' implying that

Chinese partnerships lead the improvement of Zambia's infrastructure. This demonstrates that Chinese integration has shaped development based on industrialisation and infrastructure through SEZs and trade agreements.

Unlike Zambia's long history of relations with China, Sino-Congolese partnerships are relatively new. This late entrance can be explained by the DRC's struggles with civil wars and cycles of violence since independence in 1960.

Figure 3: Overall Trend, 2006-2017: Congo Democratic Republic



Source: The Fund for Peace (2017)

Despite peace restoration in 2003, the DRC is ranked 7th in the Fragile States Index (Fund for Peace, 2017), and has experienced fluctuations instability and fragility as evidenced in *Figure 3.* The DRC lacks physical infrastructure, for example, in 2010 Enne, Galenello and Marino (2010, p.305) report that out of an estimated 153,000 km of roads, only 2,800 km were paved. Although the DRC is Sub-Saharan Africa's largest country by landmass and contains a third of global cobalt reserves, poor governance resulted in the withdrawal of development initiatives by the World Bank and IMF in the early 2000s. As globalization facilitated trade flows, this withdrawal prompted President Joseph Kabila to consider alternative sources for funding to implement his *cinq chartiers* (five pillars) on which his 2006 electoral programme was based: infrastructure, employment and housing, health, education, water and electricity (Alves 2013, p.152). In 2008, China and the DRC agreed a US$9 billion 'Sicomines' loan which would serve as funding for infrastructure development. The projects included '3,500 km of roads, 3200 km of railways, and the construction of 32 hospitals, 145 health centres, two universities and 5000 houses' (Curtis 2013: 556). In exchange, China received the 'rights to five copper and cobalt mines in the south of the country, that would enable the extraction of an incredible 10 million tonnes of copper over thirty years' (Carmody 2014:137). Many institutions have criticised this deal, citing potential for exploitation, a search for profits and disregard for debt sustainability. Meanwhile dependency theorists consider this loan an apt example of a wealthy state appropriating resources at the expense of a poorer, underdeveloped nation. Conversely, postcolonial academics

interpret the Sicomines contract in the context of African agency. The DRC's integration with China shapes an alternative model that enables development without losing sovereignty.

Chinese FDI and its developmental impact in Africa

Theoretically, China's increased spending on infrastructure in Africa should indirectly engender poverty reduction. Alves (2013:218) affirms that China's model shapes development by revamping transport networks and power supply allowing for a favourable business environment that unlocks Africa's wealth and implicitly reduces poverty. This idea is echoed in Van der Lugt's assessment (Van der Lugt., et al. 2011, p.10) which maintains that FDI has had an indirect positive impact on poverty through job creation and the transfer of skills. However, critics refute this claim, affirming that China's focus on economic growth and non-intervention policy detracts attention from the transformation of an individual's economic position. For example, Dan Haglund (2009, p.87) highlights the lack of evidence that high FDI-driven economic growth has led to a decrease in African poverty levels. China's involvement in Africa has therefore led to a model of development that focuses on manufactured capital rather than human capital.

While western institutions promote a culture of aid catered to poverty reduction, Chinese companies such as NFC have been reluctant to spend money on social activities in Zambia (Haglund 2009, p.87). China's strategy diverts from Kenneth Kaunda's post-independence humanist "cradle-to-grave" policy and is instead associated with low wages, lack of housing, poor medical support and insufficient educational support (Kwan Lee 2009, p.99). Although the NFC has invested over US$150 million to update technology in the Copperbelt, the casualization of work guided them away from promoting human capital development. Dan Haglund (2009, p.92) observes that the NFC segregates Chinese and Zambian employees through different living arrangements, creating an 'us' and 'them' dichotomy. Furthermore, following an incident in 2005 which resulted in the death of over 50 casual workers in the Chinese-owned Chambishi mine, many critics have accused Chinese companies of disregarding the safety of Zambian workers (BBC News, 2005). In 2011, Chinese company KCM was ordered by the high court in Lusaka to pay out £1.3 million to 2,000 residents in Chingola following a chemical leak into the Kafue river in 2006. The judge claimed that Zambians 'should not be dehumanised by greed and crude capitalism with profit above human life' (Vidal 2015, np). This sentiment parallels complaints about former colonial ventures which objectified civilians in the search for capital gains. Chinese involvement appears to disregard human capital development, therefore neglecting the poverty reduction essential for a country where 54.5% of the population live in multidimensional poverty (United Nations 2016e). However, Carmody (2014, p.88) contests this by highlighting that Lusaka and the Copperbelt, the regions that have experienced the largest level of Chinese investment and interest, have seen the most dramatic poverty reductions. Meanwhile in 2017, former acting Foreign Affairs Minister Vincent Mwale asserted that China's 320 developmental projects in Zambia have led to the creation of 4000 jobs, and that by passing on knowledge, China's integration would enable Zambia to eventually be self-reliant (QFM 2017). This rhetoric asserts that China's integration excludes the individual from the discourse of development. It also postulates that China's approach will enable Zambia to become independent from future foreign aid through job creation and transfer of knowledge.

In the Democratic Republic of Congo, however, China has shaped economic development through liaising primarily with the political elite. As a result of the non-intervention policy, the Chinese government has neglected to interact with the majority of the DRC's population who live in below the poverty line. Despite an above-average

annual economic growth rate of 7.4% between 2010 and 2013, 72.5% of the population in the DRC live in multidimensional poverty (Kabemba 2016, p.75; UN 2016 Human Development Index). From a humanist perspective, Chinese involvement in the DRC has failed to encourage the Congolese government to develop policies that channel revenues into 'downstream industries' and other sectors that can 'lift people out of poverty' (Chakrabarty 2015:129). Similar to Chinese contracts in Zambia, the Sicomines deal (which was reduced to US$6 billion following fears of debt sustainability) limited 'the subcontracting of local services by Chinese contractors', impeding job creation for local companies. A study by Rights & Accountability in Development (RAID) (Goethals, Okenda and Mbaya 2009) revealed that those employed in Chinese-run Congolese mining ventures were confronted with unacceptable working conditions in Katanga and little opportunity for career progression. This endorses the idea that China has shaped an oligarchy-based development, in which the voices of other echelons of Congolese society are seldom heard, leaving little room for poverty reduction.

Alves (2011, p.219) affirms that China's integration with Africa encourages short term goals and has a negative impact on the continent's economic stability. Five years after the Sicomines deal was signed in the DRC, there was little indication of infrastructural projects being implemented in the Katanga province. To aggravate the situation further, the China Exim bank pulled out as financial provider for the deal (Alves 2011, p.155). In Zambia, Chinese ventures failed and led to unsustainable projects such as the Mulungushi Textiles factory which was revived by the Qingdao textiles corporation, but permanently closed in 2006 following conflict between workers and Chinese management (Brooks 2010, p.115). While the adverse aspects of China's development approach are undeniable, it would be reductionist to infer that China's involvement in Zambia and the DRC has negatively shaped development. China's integration in the African economy has allowed alternative narratives of development, that don't centre on Western ideals or aid culture. In recent years, theories regarding the detrimental effect, that western globalization and aid has had in Africa, have emerged. Zambian-born international economist, Dambisa Moyo, affirms that 'aid has helped make the poor poorer, and growth slower' *(*2008, p.xix)*,* while others consider that aid promotes dependency and a loss of African agency. The Guardian (Bräutigam 2015) reports that in 2013, China budgeted only US$3.2 billion for official development assistance. Meanwhile the US budget was over ten times higher at US$30.9 billion, demonstrating China's reluctance to supply aid for development in the same way as the West. China's 'trade not aid' model therefore shapes development through partnerships that hold African countries accountable for their development, rather than depending on aid handouts from China.

Conclusion

While there are disparities between China's integration with Zambia and with the DRC, many similarities can be drawn. In both cases, South-South globalization has enabled China to shape development using a bilateral partnership model, centred on commodity trade flows and infrastructure. China's FDI in Zambia aims to promote development through an industrialisation process in the Copperbelt and Lusaka. Meanwhile integration with the DRC has focused on building infrastructure, following the country's instability due to civil wars and recurring violence. The NFC's interactions in Zambia and the RAID (Goethals, Okenda and Mbaya 2009) assessment on labour relations in the DRC reveal that China's development model prioritises manufactured capital over human capital. This encourages a model of development that disregards labour relations. The DRC is an apt example of how the non-intervention policy has enabled the country to shape development without conditions imposed by the West. Nevertheless, some are critical of China's integration with Africa, claiming that the minerals-for-infrastructure strategy is neo-colonial in nature. This is due to China's monopoly on mines in the DRC and Zambia, which

fosters economic dependence. Despite the varied critical response to South-South economic integration, China's involvement with Zambia and the DRC confirms that development in these nations has been shaped, using a model that emphasises investment-based partnerships and facilitates African agency and governance.

References

Alves, A. (2011). *Chinese Economic and Trade Co-operation Zones in Africa: The Case of Mauritius*. [online] South African Institute of International Affairs. Available at: https://www.saiia.org.za/occasional-papers/71-chinese-economic-and-trade-co-operation-zones-in-africa-the-case-of-mauritius/file [Accessed 16 Dec. 2017].

Alves, A. (2013). China's 'win-win' cooperation: Unpacking the impact of infrastructure-for-resources deals in Africa. *South African Journal of International Affairs*, [online] 20(2), pp.207-226. Available at: http://www.tandfonline.com/doi/full/10.1080/10220461.2013.811337?src=recsys [Accessed 14 Dec. 2017].

BBC News (2005). Dozens killed in Zambia explosion. [online] Available at: http://news.bbc.co.uk/2/hi/africa/4466321.stm [Accessed 8 Dec. 2017].

Bräutigam, D. (2015). Don't get excited, China is not the new aid superpower. *The Guardian*. [online] Available at: https://www.theguardian.com/global-development-professionals-network/2015/nov/03/dont-get-excited-china-is-not-the-new-aid-superpower [Accessed 6 Jan. 2018].

Brooks, A. (2010). Spinning and Weaving Discontent: Labour Relations and the Production of Meaning at Zambia-China Mulungushi Textiles. *Journal of Southern African Studies*, [online] 36(1), pp.113-132. Available at: https://doi.org/10.1080/03057071003607360 [Accessed 11 Dec. 2017].

Carmody, P. (2011). *The new scramble for Africa*. Cambridge: Polity Press.

Central Intelligence Agency (2017). *The World Factbook: Zambia — Central Intelligence Agency*. [online] Available at: https://www.cia.gov/library/publications/the-world-factbook/geos/za.html [Accessed 14 Nov. 2017].

Chakrabarty, M. (2015). Growth of Chinese trade and investment flows in DR Congo – blessing or curse?. *Review of African Political Economy*, [online] 43(147), pp.116-130. Available at: https://doi.org/10.1080/03056244.2015.1048794 [Accessed 16 Dec. 2018].

CIA. (2017). *The World Factbook: DRC — Central Intelligence Agency*. [online] Available at: https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html [Accessed 14 Nov. 2017].

Copper production: Zambia vs. the DRC. (2016). [Blog] *Mining for Zambia*. Available at: https://miningforzambia.com/20-year-snapshot-copper-production-zambia-drc/ [Accessed 5 Jan. 2018].

Curtis, D. (2013). China and the Insecurity of Development in the Democratic Republic of the Congo (DRC). *International Peacekeeping*, 20(5), pp.551-569.

Davies, M. (2008). Special Economic Zones: China's Developmental Model Comes to Africa. In: R. Rotberg, ed., *China into Africa: Trade, Aid and Influence*. Washington, D.C.: Brookings Institution Press, pp.137-154.

Enne, E., Galanello, G. and Marino, E. (2010). Drivers of Change in the Democratic Republic of Congo: The Role of China in Re-Shaping the Country. *Transition Studies Review*, [online] 17(2), pp.297-310. Available at: https://link.springer.com/article/10.1007/s11300-010-0149-z [Accessed 4 Dec. 2017].

Fund for Peace (2017). Country Dashboard: Congo, Democratic Republic. *Fragile States Index*. [online] Available at: http://fundforpeace.org/fsi/country-data/ [Accessed 22 Nov 2017].

Goethals, S., Okenda, J. and Mbaya, R. (2009). *Les entreprises minières chinoises au Katanga, République démocratique du Congo*. [online] London: Rights & Accountability in Development (RAID). Available at: http://www.raid-uk.org/sites/default/files/drc-china-summary-fr.pdf [Accessed 15 Dec. 2017].

Haglund, D. (2009). In it for the Long Term? Governance and Learning among Chinese Investors in Zambia's Copper Sector. In: J. Strauss and M. Saavedra, ed., *China and Africa: Emerging Patterns in Globalization and Development*. Cambridge: Cambridge University Press, pp.77-96.

KPMG International Cooperative (2013). *Zambia Country Mining Guide*. [online] Available at: https://assets.kpmg.com/content/dam/kpmg/pdf/2013/08/zambian-country-guide.pdf [Accessed 3 Dec. 2017].

Kwan Lee, C. (2009). Raw Encounters: Chinese Managers, African Workers and the Politics of Casualization in Africa's Chinese Enclaves. In: J. Strauss and M. Saavedra, ed., *China and Africa: Emerging Patterns in Globalization and Development*. Cambridge: Cambridge University Press, pp.97-116.

Lungu-Chipili, I. (2013). ZEMA stops NFCA from mining in Chambishi. *The Lusaka Timese*. [online] Available at: https://www.lusakatimes.com/2013/12/04/zema-stops-nfca-mining-chambishi/ [Accessed 12 Dec. 2017].

Lusaka Times (2015). Three Miners die in an underground mine explosion in Chambishi. [online] Available at: https://www.lusakatimes.com/2015/12/04/three-miners-die/ [Accessed 8 Dec. 2017].

Mining for Zambia (2017). Copper Production: Zambia vs. the DRC [online] Available at: https://miningforzambia.com/20-year-snapshot-copper-production-zambia-drc/ [Accessed 2 Jan. 2018].

Ministry of National Development Planning (2017). *The Seventh National Development Plan*. [online] Lusaka. Available at: http://www.mndp.gov.zm/download/7NDP.pdf [Accessed 3 Dec. 2017].

Moyo, D. (2008). *Dead aid: Why Aid is not Working and How there is Another Way for Africa*. London: Allen Lane.

Mulusa, L (2017) 83 percent of projects are done by Chinese companies – Mulusa. Interview with *The Lusaka Times* [online] Available at: https://www.lusakatimes.com/2017/09/08/83-percent-projects-done-chinese-companies-mulusa/ [Accessed 5 Jan. 2018].

Onuoha, G. (2015). A 'rising Africa' in a resource-rich context: Change, continuity and implications for development. *Current Sociology*, [online] 64(2), pp.277-292. Available at: http://dx.doi.org/10.1177/0011392115614789 [Accessed 3 Dec. 2017].

Pilling, D. (2017). Chinese investment in Africa: Beijing's testing ground. *The Financial Times*. [online] Available at: https://www.ft.com/content/0f534aa4-4549-11e7-8519-9f94ee97d996 [Accessed 20 Dec. 2017].

QFM (2017). Zambia,China relations result in creation of 4,000 jobs. [online] Available at: http://www.qfm-zambia.com/2017/08/21/zambiachina-relations-result-in-creation-of-4000-jobs/ [Accessed 29 Dec. 2017].

Simoes, A. and Hidalgo, C. (2016) *The Economic Complexity Observatory: An Analytical Tool for Understanding the Dynamics of Economic Development*. Available at: https://atlas.media.mit.edu/en/profile/country/zmb/ [Accessed 5 Jan. 2017].

South China Morning Post (2015). *INFOGRAPHIC: China's total investment in Africa*. [image] Available at: http://www.scmp.com/news/china/diplomacy-defence/article/1887975/infographic-chinas-total-investment-africa [Accessed 3 Dec. 2017].

Strauss, J. and Saavedra, M. (2009). Editor's Introduction: China, Africa and Internationalization. In: J. Strauss and M. Saavedra, ed., *China and Africa: Emerging Patterns in Globalization and Development.*. Cambridge: Cambridge University Press, pp.1-12.

Taylor, I. (2015). Dependency redux: why Africa is not rising. *Review of African Political Economy*, [online] 43(147), pp.8-25. Available at: https://doi.org/10.1080/03056244.2015.1084911 [Accessed 3 Dec. 2017].

United Nations (2016a). *Human Development Reports: Country Profiles - Democratic Republic of The Congo*. [online] Available at: http://hdr.undp.org/en/countries/profiles/COD [Accessed 21 Dec. 2017].

United Nations (2016b). Human Development Index (HDI). *Human Development Reports*. [online] Available at: http://hdr.undp.org/en/content/human-development-index-hdi [Accessed 28 Dec. 2017].

United Nations. (2016c). Human Developmental Report 2016 [pdf] United Nations Development Programme, pp.191-270. Available at: http://hdr.undp.org/sites/default/files/hdr_2016_statistical_annex.pdf [Accessed 29 Nov. 2017].

United Nations (2016d). *Trends in the Human Development Index, 1990-2015*. [online] Available at: http://hdr.undp.org/en/composite/trends [Accessed 14 Dec. 2018].

United Nations. (2016e). Country Profile: Zambia. *Human Development Reports*. [online] Available at: http://hdr.undp.org/en/countries/profiles/ZMB [Accessed 21 Dec. 2017].

Van der Lugt, S., Hamblin, V., Burgess, M. and Schickerling, E. (2011). *Assessing China's Role in Foreign Direct Investment in Southern Africa*. [online] Available at: http://www.waipa.org/wp-content/uploads/2016/07/CCS_Assessing-China%E2%80%99s-Role-in-FDI-in-Southern-Africa.pdf [Accessed 17 Dec. 2017].

Vidal, J. (2015). 'I drank the water and ate the fish. We all did. The acid has damaged me permanently'. *The Guardian*. [online] Available at: https://www.theguardian.com/global-development/2015/aug/01/zambia-vedanta-pollution-village-copper-mine [Accessed 11 Dec. 2017].

World Bank (2016a). Country Profile: Congo, Dem. Rep. *The World Bank Data Bank*. [online] Available at: https://data.worldbank.org/country/congo-dem-rep?view=chart [Accessed 14 Nov. 2017].

World Bank (2016b). Country Profile: Zambia. *The World Bank Data Bank*. [online] Available at: https://data.worldbank.org/country/zambia?view=chart [Accessed 14 Nov. 2017].

18

CHINA'S BELT AND ROAD INITIATIVE (BRI): MAKING CHINA GREAT AGAIN: IS CHINA'S BELT AND ROAD INITIATIVE AN IMPERIAL EXERCISE?

Harry Rawson

Introduction

Chinese leader Xi Jinping has solidified his role as the current and future leader of the rising hegemon that is China. In late February of this year, the Chinese leader abruptly announced plans to re-write China's Constitution, discarding the current provision preventing leaders from serving no more than two consecutive terms. As Xi looks to lead China to pole position for many years to come, it appears the Belt and Road Initiative might play a more significant role in the history of China, and the world, than was first thought.

The BRI has proven difficult to define, as Hillman (2018) stated, it is "… more a loose brand than a program with strict criteria". The initiative has already had many names and estimates made as to the true scale and form of the project. However, what is absolutely clear, is that it's an extremely ambitious and monumental project. First announced in 2013, Xi seeks the resurrection of the ancient Silk Road in the form of the Silk Road Economic Belt (SREB) and the 21st Century Maritime Silk Road (MSRI) – collectively, the Belt and Road Initiative (BRI). The initiative seeks to "promote the economic prosperity of the countries along the Belt and Road and regional economic cooperation, strengthen exchanges and mutual learning between different civilizations, and promote world peace and development" (People's Republic of China, 2015).

Although the BRI is still in its early stages, the discourse around the initiative, particularly around its motivations and potential future implications, is taking shape at a fast pace. However, very little has been written on the matter of imperialism in relation to the BRI, a gap which this piece will seek to fill. It will focus specifically on the examination of the BRI through Mao, Lenin and Hobson's theories of Imperialism, with the aim of determining whether the BRI signifies the start of a new era of Chinese Imperialism. The argument will hold that despite Xi and China's best efforts at crafting positive, non-invasive, mutually beneficial rhetoric, the Imperialist theories of Mao, Lenin and Hobson show us that the BRI appears to be more of an Imperial exercise than China would like the world to think.

The first section briefly examines the significance of Xi's speeches last year at the World Economic Forum and the Belt and Road Forum, with a specific focus on the defence of globalisation, Xi's vision of China's leading global role, and the general rhetoric surrounding the BRI. The next section briefly explores the basics of the BRI and the current motivations behind the initiative that have been identified by scholars and experts around the world.

The third section signifies the start of the examination of the BRI through an imperialist lens, starting with the founding father of the PRC, 'Chairman Mao'. This section explores Mao's 'Anti-Imperialism' and the 'China Dream', and analyses the BRI against Mao's definition of imperialism. Mao founded the PRC on a counter-hegemonic stance, on the back of decades of colonial and imperial rule in China by the world's great imperialist

powers of the 19th and 20th century. However, it appears that Xi's desire to pursue the 'China Dream' could turn China into the very thing it spent decades fighting. The penultimate section explores the BRI through Lenin's theory of Imperialism. Lenin's analysis of Imperialism as the 'Highest Stage of Capitalism', with a focus on the export of finance capital and the search for greater profits, fits almost perfectly to China's situation and the Belt and Road Initiative.

The piece ends with a brief examination of the BRI in relation to J.A. Hobson's theory of Imperialism, the first major analysis and critique of Imperialism in the 20th century. Hobson's focus on economic imperialism and under-consumption provide an interesting analysis of the BRI. China's economy has entered a period of stagnation, which Xi hopes will be corrected through the BRI. This section explores China's situation and places it in the context of the problem of under-consumption, concluding that the BRI provides the perfect modern example of Hobson's Imperialism.

Leading the Way

World Economic Forum: Davos 2017

When concluding his speech at the World Economic Forum last year, President Xi declared that "History is made by the brave" (Parker, 2017). Brave is exactly what you must be in order to execute a plan the size of the Belt and Road Initiative. Xi was the first Chinese leader ever to attend the Forum. He took to the stage in Davos on the back of a year that saw anti-globalisation sentiment sweep much of the Western world. In light of the victory of Trump, Brexit, and a rise in the number of nationalist forces around the globe, Xi identified an opportunity to position China as the global leader for international cooperation and globalisation. In the first half of his speech, Jinping defended economic globalisation against those who have used it as a scapegoat for many global problems, including the refugee wave and the global financial crisis. Xi then seized the opportunity by laying down China's recommendations and guidance with regards to combating these problems with global "economic growth, governance and development models" (Jinping, 2017a).

Throughout this, Xi focused on the language of friendship, cooperation, development, and harmony. In a reference to America's inward-looking policies, he stressed that, "we must promote trade and investment, liberalization and facilitation through opening up – and say no to protectionism" (Bruce-Lockhart, 2017b). Xi then simultaneously highlighted China's stance on such matters, "China stands for concluding open, transparent and win-win regional free trade arrangements and opposes forming exclusive groups that are fragmented in nature" (Jinping, 2017a). This was an important speech for Xi and China, which signalled to the world that China is ready to take over from the US and lead the way. This trajectory has been observed by many scholars and experts around the world, including Hillman (2018), who comments, "when much of the West is looking inward, China is connecting with the world". The BRI forms the core of this connecting process. Xi sought to further elucidate the success and potential of the BRI and squash any concerns over the motivations behind the initiative a few months later, at the Belt and Road Forum for International Cooperation.

Belt and Road Forum for International Cooperation: Beijing 2017

In May 2017, Xi addressed leaders and representatives from over 100 countries at the first international forum on the BRI. Following on from his landmark speech at the World Economic Forum, the President drew upon the shared

history of the ancient Silk Roads and the nations it encompasses. Xi proceeded to reference the progress made by the BRI in its first four years, stressing the deepened levels of connectivity in areas such as; policy, infrastructure, trade, finance and social interconnectivity, finishing by saying "the Belt and Road Initiative responds to the trend of the times, conforms to the law of development, and meets the people's interests. It surely has broad prospects" (Jinping, 2017b). The Chinese leader also took the opportunity to announce further funding for the project, namely; US$15bn into the Silk Road Fund, US$55bn for new lending schemes for BRI projects, and US$8.5bn for humanitarian efforts (Nordin and Weissmann, 2018, pg. 253).

Despite the positive language used in China's rhetoric, many are still understandably cautious about the intentions of China with the BRI. Xi used the forum to address these concerns head on, reassuring the audience that "… we have no intention to interfere in other countries' internal affairs, export our own social system and model of development, or impose our own will on others…we will not resort to outdated geopolitical manoeuvring. What we hope to achieve is a new model of win-win cooperation" (Jinping, 2017b). It was important for Xi to deny any underlying imperialist intentions behind the policy, after all, the world hasn't seen a global project of this size since the Marshall Plan.

These two forums were extremely important for China and the BRI. Xi outlined the PRC's vision for an increasingly connected global future, led by China. Xi also made a deliberate effort to squash concerns about any sinister intentions that China may have, and to distance potential Chinese leadership from the conditions of the current, US led, international order. The next section will explore the BRI in more detail and examine the motivations behind the initiative, which "despite official rhetoric…being open and global…is a China-centric effort" (Hillman, 2018).

The Belt and Road Initiative

The Basics

The bulk of the initiative involves large infrastructural projects that China will be undertaking and financing the majority of. China is expecting to lend up to US$8 trillion in around 68 countries, equating to around 65% of the world's population and well over a third of global GDP (Bruce-Lockhart, 2017a). The area encompassed by the BRI also contains approximately 75% of the worlds known energy reserves (Godement, 2015). Five years on from its announcement, the initiative is still in its early stages. It's clear that the BRI is a long-term plan, with the likelihood that China is planning the implementation of the initiative in time for the centenary of the PRC, in 2049 (Ekman et al, 2017).

The response to the BRI from the international community has been mixed. The majority of stakeholders, expectedly those set to benefit, welcome the project. However, others are wary of China's ambitions, and in certain cases, are openly opposed to the initiative. A state-led project this large is guaranteed to raise some concerns, especially from China's regional rivals and the world's superpowers, namely India, Japan and the US. For many of the developing countries involved, the BRI seems almost too good to be true, a 'buy now pay later' infrastructural overhaul, with the possibility to boost domestic economies and improve long term relations with the world's fastest growing superpower.

Motivations

In order to consider whether the BRI is an Imperial exercise, one must first explore the motivations behind this plan. For Xi and China, the BRI presents the opportunity to address a vast number of Beijing's current problems. This includes China's need to further develop its western regions and slow down rapid, unsustainable levels of urbanisation. Xi himself acknowledged, "the Chinese economy faces a downward pressure and many difficulties, including…growing challenges in certain regions" (Jinping, 2017a). Starting in 2000, China's "Go West" strategy has been aimed at developing 12 provincial regions of China, home to 400 million people. Between 2000-2016, China has invested almost US$1 trillion in "300 major projects, mainly in infrastructure and energy" (The State Council, 2016). However, there is still the need for further economic development in the region, and particularly the need to address political tensions with the Uyghur minority, which Xi hopes will be helped by the BRI.

It is no secret that China has been facing stagnating economic growth in recent years. As a result, the leadership are looking to restructure its economy, part of which involves taking its predominantly state-owned brands global. The BRI provides the platform for this, as Hillman (2018) stated, "out of all contractors participating in Chinese-funded projects…89 percent are Chinese companies". As well as taking its brands global, the BRI allows China to dump its excess production of goods, and its excess in productive capacity, particularly in infrastructure and heavy industry (Vilaca, 2017, pg. 12), on developing markets. Part of this process will involve China invoking principles of Ricardo's *Comparative Advantage,* in which they will look to secure access to natural resources for its ageing population, in return for Chinese consumer goods.

The satisfaction of certain geopolitical objectives can also be achieved through the BRI. US hegemony is in decline, particularly in Asia. China is looking to take advantage of this, in order to obtain more control and influence in the region. This intent can be seen with North Korean leader Kim Jong-un's discreet visit to China ahead of peace talks with the US. Xi wanted to shape the process, check North Korea's intentions and show the region, and the world, that they are in control of Asia. In addition to this, a potentially key objective of the BRI is to prop up China's allies, such as Pakistan, against Asia's other rising superpower, India. It is perhaps no surprise then that Indian Prime Minister Narendra Modi has been vocally opposed to the BRI, labelling it a "colonial enterprise" (Bruce-Lockhart, 2017a).

It is apparent that the BRI allows China to pursue multiple policy goals in tandem, as Graham Vladimiroff points out, "the question of whether China is seeking economic, political or military power is best answered with "all of the above" (Mulrenan, 2017). For the rest of the global superpowers, the BRI could indeed present a problem, particularly for the United States. Pepe Escobar noted back in 2001 that the US "has expanded to almost limitless power. And when you reach Absolute Power, the only way is down" (Escobar, 2001). If China is destined to take over from the US as the world's global hegemon, an important question will be whether it can continue with its "peaceful rise" without turning into an imperial power. The remainder of this piece will analyse the BRI through several theories of Imperialism to determine whether it is indeed an exercise of Imperial power or not.

Paper Tigers

Chairman Mao's Anti-Imperialism

The founding father of the PRC spent much of his adult life fighting for China's emancipation from the world's imperial powers. After joining the Communist Party of China in 1921, Mao was involved in continuous struggle

up until 1949. Mao had grown up in a China that had been stricken of its resources through decades of war, feudalism and competition between imperial powers, as Deckers (1996) notes "China was indeed a football of international politics" (p.184).

When the second part of the Chinese Civil War broke out, the Nationalists had the military and economic backing of the greatest Imperialist power of them all, the United States. However, Mao believed in the power of the masses over all else. In 1945, he told the Seventh Congress: "Today, two big mountains lie like a dead weight on the Chinese people. One is Imperialism, the other is Feudalism…If they (the Chinese masses) stand up and dig together with us, why can't these two mountains be cleared away?" (cited in Short, 2017, pg. 408). Mao's belief in the power of the masses led him to famously declare that the atom bomb was a *'paper tiger'*, and so are all *'reactionaries'* (Imperialists), "…it looks terrible but in fact it isn't…the outcome of a war is decided by the people, not by one or two new types of weapon" (cited in Short, 2017, pg. 408*).* As it turned out, Mao was right, the 'collective will of the masses' proved too powerful for the US-backed Nationalists.

A state founded much less than a century ago on Anti-Imperialist sentiment, will sure enough be aware of its roots and the struggles of Mao against the Imperialists. When Mao assumed power of the PRC, he sought only to 'reclaim' old lands, those which formerly belonged to China and to the people and focused on rebuilding the great Chinese nation after almost half a century of war and turmoil at the hands of the Imperialists. This Maoist tradition of Anti-Imperialism remained at the core of the party as the decades went on. China has remained on the periphery of international relations, reluctant to involve itself in the affairs of other states, seeking continued emancipation from a US controlled international order. This can be seen with Xi too, and the language in his speeches on the BRI advocating mutual benefits, and slating the US led geopolitical games of the past.

Mao himself did not offer a comprehensive political-economic definition of Imperialism, "partly because he saw himself as standing in the tradition of Lenin's work" (Deckers, 1996, pg. 189). Much of Mao's thought, like Lenin, was concerned with the economic, political, cultural and military issues, with greater emphasis on the political and military aspects of Imperialism. As a result, in simple terms, Mao held the view that "…an imperialist country was essentially a more developed country and one which was bullying others" (Deckers, 1996, pg. 173). Fast forward to 2018 and China is now seen as a 'more developed country', particularly in comparison to its Asian neighbours.

'China Dream' – Chinese Imperialism?

Chinese leadership acknowledges that one of the biggest challenges facing them with the BRI, is how to roll out the initiative without turning into an imperial power, at least in the eyes of its neighbours. These apprehensions have already been voiced by China's powerful neighbours, India and Japan, as well as China's 'all-weather friend', Pakistan. Bhattacharya (2016) notes that the Pakistani "…Upper House have expressed the fear that the CPEC (part of the BRI) could become the new East India Company…and sees Beijing as a new colonial power akin to the British" (pg. 324). China understands that overcoming this challenge of misperception and suspicion is vitally important but believe it can be overcome through "…image management and careful public communication— in other words, through propaganda" (Rolland, 2017, pg. 135-136). Attempts at such careful public communication can be seen with Xi's speeches to the international community last year.

Like Mao himself, Xi has expressed his desire to fulfil the 'China Dream', taking the nation back to its past glories, regaining control of ancient territories and reinstating itself as the powerhouse in Asia, leader of the Asian

people – 'Making China Great Again'. Back in 2013 at the National Museum's Road to Revival exhibition, which "laid out China's suffering and humiliation at the hands of the colonial powers", Xi talked of the 'China Dream', aimed at "attaining past greatness" by correcting the "…the twin aspects of China's loss in history: the loss of territory and the loss of leadership role in East Asia" (Bhattacharya, 2016, pg. 319). However, there is a fine line between embarking on a quest to regain lost lands and becoming the leader in Asia; and embarking on a quest of an imperialist nature to conquer lands and build an empire.

The extent to which China can be seen to be 'bullying' others with regards to the BRI is questionable, after all, involvement in the initiative is voluntary. However, there are certainly elements of the BRI that could be considered as imperialist. Fairbank (1988) shows how China's strategy of developing participating countries through the BRI can be seen as a form of Imperialism, stating that "Imperialism might be truly exploitative in some situations but in others more like a crude form of development" (cited in Deckers, 1996, pg. 187). For example, although Asia's developing regions have signed up to the initiative voluntarily, it is Chinese, mostly state-owned, companies that are reaping the benefits of the agreements. In the majority of BRI projects, China is providing the finance, the companies, and therefore the labour. The recipient countries are receiving their infrastructure, but no other short-term benefits are evident. In the long-term they are left with large debt, owed to China, and infrastructure that may or may not end up being beneficial to the state. This is highlighted by Vilaca (2017) who states that "BRI initiatives are mostly bilateral agreements with poorer countries in Africa and…Central Asia granting it access to cheap energy sources and fresh markets" (pg. 12).

Although China does not appear to be 'bullying' any other state through the BRI, it is certainly a Chinese-centric effort, with the majority of the benefits landing back at the feet of China. Even before the BRI, many of China's infrastructural activities in Africa were criticised for their lack of usability, and particularly for building infrastructure that wasn't beneficial for the working-classes. Before Mao, China was plagued by Feudalism and Imperialism, in which the country was stricken of its resources, with ordinary people, the peasants, not reaping any of the rewards. The BRI is recreating these conditions in other weaker states, as Hayton (2017) notes, "the benefits rarely trickle down to those at the bottom of the income pile. As a result, all over Asia it's easy to whip up fears about countries being overrun, dominated or exploited by the new arrivals" (pg. 47). As previously mentioned, much of Mao's thought on Imperialism was derived from Lenin, thus, the next section will explore Lenin's theory of imperialism in relation to the BRI.

The Highest Stage of Capitalist Development

'A colossus with feet of clay'

Mao drew much inspiration from Lenin and the Bolshevik Revolution, particularly with regards to his theory of imperialism. In 1919, Lenin famously described Anglo-French Imperialism as a "colossus with feet of clay", going on to state that victory in war goes to the side with "greater reserves, greater sources of strength and greater endurance… We have more of all these qualities…because we can draw…upon the workers and working peasants…which everywhere form the overwhelming majority of the population" (Lenin, 1965, pg. 74-75). This belief in the power of the workers and peasants, along with the view of imperialism as a "colossus with feet of clay", explains Mao's 'Paper Tigers' analysis and his belief in the Chinese masses to lead him to victory during the Chinese Revolution.

In defining imperialism, Lenin described it simply as, the "monopoly stage of Capitalism" (Lenin, 1939, pg. 88), a process in which "Capitalists divide the world…because the degree of concentration which has been reached forces them to adopt this method in order to get profits" (pg. 75). Lenin placed a specific focus on the role of the exportation of finance capital in this process and stipulated that imperialism gives birth to wars. His work on imperialism exerted great influence on Immanuel Wallerstein's *World Systems Theory,* the international division of labour, with core, semi-periphery and periphery countries. Xin Zhang identifies China and the BRI "as a strategy of China as a semi-peripheral country within…the dynamics of the capitalist world-economy whose economic model…has reached a point of exhaustion" (Blanchard and Flint, 2017, pg. 237). In *World Systems Theory,* nations can move between core/periphery status. China, with the BRI, is moving from a semi-periphery to a core country, and potentially to the position of hegemon, in the eye of World-Systems theorists, who "frame the rise to hegemonic power through the ability to project economic advantage through trade and investment" (pg. 234).

Throughout Lenin's analysis in *Imperialism,* is the rejection and opposition to the *ultra-imperialism* of Karl Kautsky, which predicted a future with the existence of "collective imperialism", as discussed by Amin (2015), who discusses contemporary imperialism as a "collective imperialism" of the triad (US, Great Britain, Japan, Germany, France and a few others)", which stems from the awareness of the bourgeoisie in these states of the need for "joint management of the world and particularly of the subjected" (p.31). Lenin rejected this notion, citing the constant changes in the balance of power among imperialist states, meaning conflict and competition were more likely than cooperation (Lenin, 1939). However, the current state of affairs would suggest that Kautsky's "ultra-imperialism" is perhaps visible in today's international order, particularly the element of "ultra-imperialism" which postulates that "wars shall cease under capitalism" (Lenin, 1939, p.94).

The BRI: The Highest Stage of Chinese Capitalist Development

Amin (2015) identifies China as an enemy to the imperialist powers, whom they have been forced to coexist with, as they have (up until now), "rejected the neo-comprador option" (p.33). However, Lenin's rejection based on changes in the balance of power is extremely relevant here. In *Imperialism,* Lenin used the example of Germany going from "a miserable, insignificant country" (Lenin, 1939, p.119), to an imperial power in a few decades. China appears to be mimicking Germany's rise to imperial status. The BRI appears to represent a shift from this rejection of the neo-comprador option. China has concluded that, in order to further pursue its national development project, it needs to align with the triad and engage with its "collective imperialism". However, China will not enter a triad led by the United States, especially in Asia. This explains the motivations behind Xi's speeches, previously analysed in this piece, and the exclusion of the US from the BRI. If China is going to embark on an imperial mission through Asia and beyond, it wants to do so as the sovereign imperialist power.

China's capitalist development (economically) appears to be reaching the final stage that Lenin talks about. China's economy is stagnating, it must now take its monopoly of state-owned industries into new markets to ensure greater profits. In turn, this can aid the continuation of China's rapid social and economic development and help maintain the stability of the Chinese Communist Party, and therefore the Chinese state. A key part of this process for China is the BRI and the exportation of finance capital (integral to Lenin's imperialism). China is increasingly becoming the biggest exporter of financial capital in the world, particularly in Africa, and now throughout South, East and Central Asia, as well as the Middle East, due to the BRI. This process appears to reflect the actions of pre-World War One economies, as Vilaca (2017) notes that "China (through the BRI) is now invoking the principles of free-

trade (and free-currency) and comparative advantage to say that trade makes everyone better off and is a sound foundation for peace" (pg. 12). This is a historical behaviour that is widely criticised and "crucially, a behaviour condemned by China long ago" (p.13).

Lenin was of the belief that imperialism gave birth to wars. It seems highly unlikely that China will go to war with another imperial power, however, it will certainly have no choice but to increase its military presence abroad. When the US first started its global economic engagement, Neil Smith called it the "first moment" in "American imperial assertion" (Blanchard and Flint, 2017, pg. 235). In order to successfully undertake global investment and trade, i.e. the BRI, a state must be able to guarantee the security of its trade and investments, as Blanchard and Flint (2017) note, "A desire to promote global economic intercourse through the MSRI…could be the initial steps towards what could be called "reluctant hegemony" as China gets drawn in to a series of security commitments to protect its citizens and assets" (pg. 235). Previously protectionist and pacifist China, will now have no choice but to meddle in the domestic affairs of other states, particularly with regards to security.

Lenin showed great admiration for the work of British economist J.A. Hobson, stating in Imperialism that he "made use of the principal English work, Imperialism, J.A. Hobson's book, with all the care that, in my opinion, that work deserves" (Lenin, 1939, pg. 7). The final section of this piece will explore the BRI through the context of Hobson's theory of Imperialism, which was "the first attempt to understand the politics of Western capitalism as it entered the twentieth century" (Hobson, 1988, pg. 9).

Hobson and Under-consumption

Imperialism (1902): Laying the Foundations

Hobson's Imperialism made the English economist the founding father of the study of modern imperialism, particularly economic imperialism. Hobson believed that due to the nature of the international system, and under-consumption and its need for an outlet for surplus capital, states were driven to engage in global political and economic competition for territorial monopoly. The 'taproot of Imperialism' according to Hobson, lay in the existence of an 'unproductive' surplus, which would arise due to, "the growth of the powers of production…exceeds the growth in consumption…more goods can be produced than can be sold at a profit and more capital exists than can find remunerative investment" (Hobson, 1988, pg. 81). This 'unproductive' surplus, which Hobson saw as the root cause of imperialism, "could be diverted into higher wages, or social reform, without harmfully affecting production" (Hobson, 1988, pg. 25). Hobson postulated that monopolies were responsible for generating this 'unproductive' surplus, which created an imbalance between production and consumption – Under-consumption. Despite Hobson's strong focus on the economic causes of Imperialism, he did acknowledge the influence of other factors, stating, "the motor power of Imperialism is not chiefly financial: finance is rather the governor of the imperial engine" (Hobson, 1988, pg. 59).

Lenin was greatly impressed by Hobson's definition, believing it to be "superior because it emphasized general economic and political competition between the imperial powers" and "stressed the importance of finance capital" (Townsend, 1988, pg. 33). However, Lenin was also a strong critic of Hobson, rejecting his theory that the problem of under-consumption could be solved through the reform of capitalism, and Hobson's political solution of 'genuine democracy' was not possible in the eyes of Lenin. A final interesting element of Hobson's theory, relevant here, is the belief that Imperialists are also Protectionists. This is because Hobson believed that "Imperialism repudiates

Free Trade, and rests upon an economic basis of Protection…it is only reasonable that when we seize a territory, we should take the same means to keep its market for ourselves" (Hobson, 1988, pg. 67).

China's Solution: The BRI

China does not wish to go in search of Hobson's "genuine democracy", nor does it wish to reform a capitalist economic system that has brought it such fruition. Instead it seeks to embark on a path of 'Imperialism with Chinese characteristics' to solve its economic problems, otherwise known as the BRI. In line with Hobson's theory, China's powers of production have grown at a rapid rate. As a result of China's rise, it now possesses more goods than can be sold at a profit, therefore it needs new markets to dump this excess production on, markets which become accessible through the BRI. Hobson's problem of more capital than can find remunerative investment is also evident in China, particularly in the form of financial capital and in such industries as infrastructure and heavy industry, after all "The initial goal (of the BRI) was nothing more than getting extra "contracts for Chinese construction companies overseas" (Escobar, 2016, pg. 28). Escobar also highlights how under-consumption and over-saving, a recipe for imperialism according to Hobson, can be seen in China through its "$4 trillion in foreign currency reserves and massive surpluses of steel and cement" (pg. 26).

With regards to Hobson view that 'the motor of imperialism is not chiefly financial', China's experience backs this theory up. The BRI has a long list of motivations that are not 'chiefly financial', for example, its need to secure access to resources, secure more stable trade routes and to challenge US hegemony in the region through the realisation of the 'China Dream', a realisation that can be achieved through the BRI. However, in line with Hobson, finance is still the governor of the Chinese imperial engine, as Xiao Ren notes, "the overall Chinese economy is undergoing a restructuring process. As its economy slows down and evolves, the country needs to find new markets for its capital goods. Better transport links will make nearby countries more attractive as suppliers to Chinese manufacturers and as consumers of Chinese-made goods" (cited in Vilaca, 2017, pg. 12). As mentioned above, Hobson's point about Imperialists being Protectionists is certainly relevant in China's case. Through the BRI, China can "seize" territories throughout the Asian continent, Africa, and the Middle East, which in doing so, reduces the capabilities of other imperial powers, such as the US or India, to do the same. This explains the exclusion of the US, and to a large extent India, from the BRI.

Conclusion

This paper has attempted to critically analyse the Belt and Road Initiative through some of the major theories of Imperialism. As highlighted in the first section, Xi Jinping is seizing the opportunity to position China at the helm of economic globalisation and development. China has advocated the win-win nature of the BRI, with its mutual benefits and endless possibilities. Xi has crafted the rhetoric around the BRI to avoid any misconceptions of China's motivations, stressing that China does not seek to meddle in the internal affairs of other countries, nor impose its will onto these countries. As far as gauging the level of truth behind China's rhetoric, time will tell just how true to his word Xi can be.

The motivations behind the BRI were briefly examined in this piece, showing that the BRI allows China to pursue multiple important policy goals in tandem. Through the analysis of Mao, his 'Anti-Imperialism' and the 'China Dream', this piece highlighted that the PRC was founded on a counter-hegemonic, anti-imperialist stance, but

also showed that Xi's pursuit of the 'China Dream' could lead China down a path of imperialism to the gates of global hegemony. Although China is not 'bullying' states in the traditional Maoist Imperial sense, China has been pursuing a very China-centric approach to the BRI, reaping most of the rewards with none felt by the ordinary working-classes, creating conditions similar to the Feudalist China before the PRC.

The analysis of the BRI through Lenin's *Imperialism: The Highest Stage of Capitalism*, showed that the BRI conforms almost perfectly with Lenin's theory. With China's capitalist economy stagnating, it is looking to take its monopoly of state-owned industry into new markets in search of greater profits. This can also be seen by China's huge exportation of financial capital that forms the centrepiece of the BRI. As much as China has no interest in the internal affairs of other states, this section also highlighted that, similar to the US when it first embarked on global economic engagement, China will be drawn into making security commitments in order to protect aspects of the BRI and ensure its success.

The final section explored the theory of Imperialism and under-consumption, prescribed by Hobson, in relation to China's situation. This analysis showed that China's stagnating economy is suffering from Hobson's problem of under-consumption, with the BRI providing the access to new markets that China needs, to dump its excess production and surplus capital. This section also highlighted that the BRI may be more of a protectionist move than Xi would think, with the general exclusion of India and the US from the BRI signifying this.

The analysis of the BRI through these various lenses of Imperialism, has shown that, at least from a theoretical standpoint, the BRI is more of an Imperial exercise than China would like to think. It is still early stages, if China can steer clear of geopolitical manoeuvring, avoid meddling in states' domestic affairs, provide the win-win cooperation that it has promised without alienating its neighbours and the international community in general, then the BRI could prove a huge success for everyone involved. Alternatively, if China gets drawn into geopolitical games with the US and India in Asia, finds itself deeply engaged in the domestic affairs of its neighbours, and executes a version of the BRI that leaves China as the only true winner, then China could find itself with more enemies than friends. In order to more concretely state whether the BRI is an Imperial exercise or not, further research and analysis is required in the decades to come, as the BRI takes its true shape. In the meantime, we should all keep a close eye on China and consider the global implications of the BRI, as Rolland (2017) recommends, "This is an endeavour that the Chinese leadership takes very seriously. Others should do the same." (pg. 137).

References:

Amin, S., (2015) "Contemporary Imperialism". *Monthly Journal.* Vol 67(3) 23-36, [online] Available from: ProQuest [https://search.proquest.com/docview/1728663130?accountid=14987&rfr_id=info%3Axri%2Fsid%3Aprimo] [Accessed 16th March 2018]

Bhattacharya, A., (2016) "Conceptualizing the Silk Road Initiative in China's Periphery Policy". *East Asia: An International Quarterly*. Vol 33(4), 309-328. Available from: ProQuest [https://search.proquest.com/docview/1847389978/3D80249631A74D7CPQ/1?accountid=14987] [Accessed 9th February 2018]

Blanchard, J.M.F., Flint, C., (2017). "The Geopolitics of China's Maritime Silk Road Initiative". *Geopolitics*. Vol 22(2), 223-245. [online] Available from: Taylor Francis [http://www.tandfonline.com/doi/full/10.1080/14650045.2017.1291503?src=recsys] [Accessed 8th March 2018] [Accessed 12th 2017]

Bruce-Lockhart, A., (2017a) *"China's $900 billion New Silk Road. What you need to know"* [online] World Economic Forum, Available from: [https://www.weforum.org/agenda/2017/06/china-new-silk-road-explainer/] [Accessed 20th January 2018]

Bruce-Lockhart, A., (2017b) *"Top quotes by China President Xi Jinping at Davos 2017".* [online] World Economic Forum, Available from: [https://www.weforum.org/agenda/2017/01/chinas-xi-jinping-at-davos-2017-top-quotes/] [Accessed 21st January 2018]

Deckers, W., (1996) *"'Imperialism' and 'anti-imperialism' in Mao Zedang: Origins and development of a revolutionary strategy."* [online] London School of Economics and Political Science, Available from: [http://etheses.lse.ac.uk/1452/] [Accessed 14th January 2018]

Ekman, A., Nicolas, F., Seaman, J., Desarnaud, G., Kastoueva-Jean, T., Bahcecik, S.O., Nallet, C., (2017) *"Three Years of China's New Silk Roads: From Words to (Re)action?".* [online] Institut Francais des relations internationals, Available from: [https://www.ifri.org/sites/default/files/atoms/files/ekman_et_al_china_new_silk_roads_2017.pdf] [Accessed 12th November 2017].

Escobar, P., (2001) *"The New Imperialism".* [online] Asia Times Online, Available from: [http://www.atimes.com/c-asia/CK06Ag01.html] [Accessed 9th February 2018]

Escobar, P., (2016) "Silk Roads, Night Trains, and the Third Industrial Revolution in China". *New Perspectives Quarterly*. Vol 33(1), 24-31. [online] Available from: Wiley [https://onlinelibrary.wiley.com/doi/abs/10.1111/npqu.12020] [Accessed 9th February]

Godement, F., Kratz, A., (2015) *"One Belt, One Road: China's great leap outward".* [online] European Council on Foreign Relations, Available from: [http://www.ecfr.eu/publications/summary/one_belt_one_road_chinas_great_leap_outward3055] [Accessed 5th January 2018]

Hayton, B., (2017*) "Empire and emporium: Bill Hayton on how deference and trade are shaping China's future"*. [online] Chatham House, Available from: [https://www.chathamhouse.org/system/files/publications/twt/Empire%20and%20emporium%20Bill%20Hayton.pdf] [Accessed 12th November 2017].

Hillman, J.E., (2018) *"China's Belt and Road Initiative: Five Years Later".* [online] Center for Strategic and International Studies, Available from: [https://www.csis.org/analysis/chinas-belt-and-road-initiative-five-years-later-0] [Accessed 16th March 2018]

Hobson, J.A., (1988) *"Imperialism: A Study".* London, Unwin Hyman.

Jinping, X., (2017a) *"Jointly Shoulder Responsibility of Our Times, Promote Global Growth".* [online] China Global Television Network. Available from: https://america.cgtn.com/2017/01/17/full-text-of-xi-jinping-keynote-at-the-world-economic-forum [Accessed 5th January 2018].

Jinping, X., (2017b) *"Work Together to Build the Silk Road Economic Belt and The 21st Century Maritime Silk Road".* [online] Xinhua News. Available from: http://www.xinhuanet.com/english/2017-05/14/c_136282982.htm [Accessed 5th January 2018]

Lenin, V.I., (1939) *"Imperialism: The Highest Stage of Capitalism".* New York, International Publishers.

Lenin, V.L., (1965) "Results of Party Week in Moscow and Our Tasks". In: Lenin, VI., (4th eds) Lenin's Collected Works, Vol 30, [online] 71-75. Moscow, Available from: Marxist.org, [https://www.marxists.org/archive/lenin/works/1919/oct/21.htm] [Accessed 9th February 2018]

Mulrenan, S., (2017) *"Belt and Road: China's global expansion"*. [online] International Bar Association, Available from: [https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=4c748836-b7e1-405b-af44-7dc-bea257e64] [Accessed 20th January 2018]

Nordin, A.H.M., Weissmann, M (2018) "Will Trump make China great again? The belt and road initiative and international order". *International Affairs.* Vol 94(2), 231-249. [online] Available from: Oxford Academic, [https://academic.oup.com/ia/article/94/2/231/4851910] [Accessed 9th April 2018]

Parker, C., (2017) *"China's Xi Jinping defends globalization from the Davos stage"* [online] World Economic Forum, Available from: [https://www.weforum.org/agenda/2017/01/chinas-xi-jinping-defends-globalization-from-the-davos-stage/] [Accessed 9th February 2018]

People's Republic of China (2015) *"Vision and Actions on Jointly Building Silk Road Economic Belt and 21st Century Maritime Silk Road"*. [online] Belt and Road Forum for International Cooperation, Available from: [http://www.beltandroadforum.org/english/n100/2017/0410/c22-45.html] [Accessed 16th January 2018]

Rolland, N., (2017) "China's Belt and Road Initiative: Underwhelming or Game-Changer?". *The Washington Quarterly.* Vol 40(1), 127-142. [online] Available from: Taylor Francis [http://www.tandfonline.com/doi/full/10.1080/0163660X.2017.1302743?src=recsys] [Accessed 12th November 2017]

Short, P., (2017) *"Mao: The Man Who Made China"*. Great Britain, I.B. Tauris & Co Ltd.

The State Council (2016) *"New five-year plan brings hope to China's west"*. [online] The People's Republic of China: The State Council, Available from: [http://english.gov.cn/premier/news/2016/12/27/content_281475526349906.htm] [Accessed 14th January 2018]

Townsend, J., (1988) *"Introduction"*. In: Hobson, J.A. (3rd eds) *Imperialism: A Study.* Great Britain, Unwin Hyman. 9-41.

Vilaca, G.V., (2017) "*Strengthening the Cultural and Normative Foundations of the Belt and Road Initiative: The Colombo Plan, Yan Xuetong and Chinese Ancient Thought*". [online] Social Science Research Network, Available from: [https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2887892] [Accessed 8th November 2017].

PART VI

BEYOND ACADEMIA

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#METOO MOVEMENT: A VOX POPULI

Palakh Dutta and Hayley Lemm

"I am only one person. What can I actually do?" said a girl who lives in a country known for its democracy and model of freedom rights, including freedom of speech. #MeToo: 6 months on, is not just a movie but a vivid portrayal of local voices of London on a burning issue – women's equality and their rights in contemporary society. The #MeToo movement was originally created by Tarana Burke, a civil rights activist who started the 'Me Too Group' for survivors of sexual violence around 12 years ago (Brockes, 2018). Little did she know that the movement would grow to become a cultural phenomenon and enable people to step forward and talk about their experiences on various social media platforms. The #MeToo movement gained prominence as acquisitions of sexual harassment surfaced against Hollywood producer Harvey Weinstein. Post-Weinstein, it was as if the world had suddenly woken up – Matt Lauer, Kevin Spacey, Bill O'Reilly, and several others were accused of having misused their position of privilege.

The #MeToo campaign gained huge momentum and was hailed as revolutionary, not just for Hollywood, but for victims of sexual abuse across the globe. While the movement must be appreciated for finally creating an ecosystem for women to have their say on such matters, the sobering reality that it took 12 years for the movement to fructify is in itself a reminder of the long path ahead of us.

Revolutions don't happen overnight but when the momentum exists, it must be built upon. We, Hayley Lemm and Palakh Dutta, students of the University of Westminster, made this short film to showcase the voices of local people and start a conversation about the #MeToo movement. The aim of the film was to showcase a broad spectrum of opinion on something that has been so widely covered in the media. We went to the streets of London to find out if #MeToo was still as big as when it began 6 months ago – and if the movement had lost credibility. We wanted to know what impact it had on the local voices – and if they believed talking about the issue alone was good enough anymore. The goal was to know if the movement had carried its momentum, six months since it had been catapulted on the international stage. Most importantly, the aim was to understand the change (if any) it had brought upon people. Was it revolutionary enough to change the course of history or was this going to be another generation that passed on its problems to the next?

With these questions, we went onto the streets of London. As our film progressed, some powerful messages came out. We interviewed and recorded Londoners' opinions regarding the #MeToo movement and edited their voices together into a short film. Below is a transcript of the final film:

(The full film can be found at bit.ly/2PmVhGw)

FEMALE SPEAKER 1

Why did we have to wait for celebrities to step up to make a campaign as big as #MeToo? Honestly, I don't think the actions we are taking now, the size of the campaign we are taking now is enough, is revolutionary enough to change the course of history.

FEMALE SPEAKER 2

I feel inspired by how these women take such a big step, but then also, I feel furious because I still can't believe that this stuff still happens to this day.

MALE SPEAKER 1

I think the momentum's died, so I think we need to get the momentum back, and start hearing… I think 'me too' applies to all different types of people as well, it's not just women, it happens to guys as well, and I think it happens to children, and I think it happens to transgender people as well, so I think it's important to bring awareness to all of those things.

FEMALE SPEAKER 3

I hate to say that I wasn't surprised, it was just kind of like, this is finally coming to light, but it wasn't something that I was particularly shocked about, because I feel like in all jobs you hear about that sort of thing.

FEMALE SPEAKER 1

Honestly, I feel guilty in a way that I can't do anything to help prevent it, I don't know how to create my own role in creating awareness in this

MALE SPEAKER 2

I don't tend to share things when I read or see them, so I probably don't act enough when I read or see things about it.

FEMALE SPEAKER 4

It's very difficult, I mean, I think we are at the same point as before because these problems are, you know, occurring every day, and obviously just going with a hashtag is not enough to resolve the situation, so maybe, maybe, there is slightly a bit more awareness around people, but still you know there is a long way to go, absolutely.

FEMALE SPEAKER 2

It was a big shock for me to see how, those women, even though they had a risk to lose their status, or their job, or everything they have in life, you know the fame, and everything, how they stepped up for other women to have a platform, to have a voice, and they kind of like, sacrificed their place for everyone

MALE SPEAKER 3

It increases the respect that you should have for women, you kind of realise how these women are treated.

FEMALE SPEAKER 3

I think it helps because it puts it out in the public and it stops it being something that people feel they have to be ashamed about.

FEMALE SPEAKER 4

Most of the time, these things are trends, they tend to disappear very briefly and then there is not much that you can do about it.

FEMALE SPEAKER 2

We need to understand that it is not just women who should take action, everyone should be involved in it, everyone should realise that it is not just about women, it's about all of us.

FEMALE SPEAKER 1

It's our job to change the world, we can't just expect the world to be changed just by a flick of the hand, it has to happen with us, we have to take the steps, we have to lead, we have to make sure that everyone knows that we are here.

MALE SPEAKER 3

So for me, I'm a slightly different person, I see a lot of people posting on social media with their thoughts and everything, but I believe that posting on social media just makes you like everyone else, I think a lot of people are just there to post their thoughts, but, so a lot of people just don't read it, it's just like, a like, and they move on, they don't really care about it after a while.

FEMALE SPEAKER 3

You have to make change and it is hard to think of how to do that, I'm only one person like what can I actually do that's really going to affect anything.

FEMALE SPEAKER 5

I think that the next step coming out of the campaign is to actually take proper actions and maybe try to ask the government to do something about it, so that it is not just a social problem, a problem on social networks but something that becomes an actual policy.

FEMALE SPEAKER 1

If us, normal people in society start standing up, start doing stuff that celebrities do, making statements, doing campaigns, making powerful speeches, supporting every other woman in this world, then we can change the course of history.

The majority of the opinions voiced a common concern regarding the lack of impact of the #MeToo movement. Although it gained a huge outreach leading to long discussions and conversations, many victims never receive any justice. It has highlighted the idea that the conversation alone may not be enough, and that there needs to be more action taken for progress to happen in the right direction. Remember to carry on the conversation; tweet with #MeTooPerspectives and have your voice heard.

References

Brockes, E. (2019). *#MeToo founder Tarana Burke: 'You have to use your privilege to serve other people'*. [online] the Guardian. Available at: https://www.theguardian.com/world/2018/jan/15/me-too-founder-tarana-burke-women-sexual-assault [Accessed 18 Jan. 2019].

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MY VIETNAM – THE PERCEPTION

Dmitrijs Zujevs

I attend the University of Westminster — or the 'University of Opportunities and Diversity' as many would call it. It would be very difficult, and simply wrong, to disagree with this statement considering what it has allowed me to experience throughout the past two years. To be more particular and specific, I'd like to express my experience of visiting Vietnam under the module of "Learning an International Environment" led by Farhang Morady, a person that deserves a separate article based around his persona.

Coming back to the module itself, it is important to determine: what did we actually learn from it? Was it just an academic experience, or does it go beyond simply that, allowing us to evolve in a certain way as individuals? These are the questions that I will be raising in this short "trip review".

During our trip, we visited a number of culturally-linked places such as museums, Ho Chi Minh's mausoleum and the historically rich districts of Hanoi. However, most of my peers would perhaps focus on the cruise that took us around Ha Long Bay on an overnight trip. In my opinion, the primary aim of this cruise was not to simply show us the nature of Ha Long Bay but to bond us together in a closed space with no choice than to communicate and get to know each other.

But, before visiting Ha Long Bay, we were given opportunities to go deeper within a cultural enrichment of understanding Asia. But, before visiting Ha Long Bay, we were given opportunities to go deeper within a cultural enrichment of understanding Asia. It is very important to understand that Asia is one of the biggest regions in the world and it its cultures may vary from certain areas such as middle-east to far-east where the Vietnam is located. Within the far-east itself, even the neighbouring countries will be different. For example – the Monarchic-Thailand and the Communist-Vietnam. Personally, as a person who had never visited Asia before, this opportunity allowed me to form a certain perception of the East Asian culture. I believe that the perception itself does not actually matter but rather the way of how it is often formed, therefore perceived.

We stayed in Hanoi, the capital and also the most culturally enriched city of Vietnam. It is considered this due to the fact that the South of Vietnam was completely turned into ruins during the Vietnamese war, unlike the North of the country, where Hanoi is exactly located.

On our arrival we were been offered an opportunity to participate in the "cultural programme" of our trip. Soon enough, this opportunity would shape my view of Vietnam. Notably, all the museums that we visited were strongly linked with the contemporary problems of Vietnam. We visited The Vietnamese Women's Museum which clearly emphasized a feminists' point of view about women's rights in Vietnam. Also, it was highly recommended to visit the Ho Chi Minh's mausoleum and his museum afterwards. From my point of view, this experience allowed us to witness the state's idea of history. Besides the museums, we were also invited to the United Nations Habitat in Hanoi, where our group was given a lecture about what the UN's role in Vietnam is and how is every member of the Vietnamese community is involved in that idea.

And last, but not least, our participation in the lectures of the University of Hanoi have shaped a perception of the question "how does it feel, to be a student in Vietnam?"

I'd further like to highlight my own perception of Vietnam, and to be more specific—of Vietnamese students. In fact, it was quite interesting to witness their behaviour when they were spending their time with us, the British students, and to witness from a distance their behaviour with each other. Even though it is quite difficult to describe the difference in their behaviour, it became obvious that our Vietnamese peers tried to join our "flow" and tried to keep on with the Western Culture while they were with us.

However, it is very difficult to analyse specific human behaviour, when I'm not even a psychology student, but it is worth mentioning the Merton's theory of the self-fulfilling prophecy (Merton; 1948; pp.193-210). and what is connected to it: the theory of interactionalists, which would include the Goffman's ideas about the representation of ourselves within the society and the first sight ideas (Goffman; 1956).

So, how does it connect to our experience of Vietnam? All of us were labelled as "very intelligent and culturally enriched students from the West", and this is one of the reasons why we saw Vietnam from a different perspective, not a tourist's perspective but rather an analytical one. We were able to question every exhibition and compare it with our initial thoughts and ideas that we built throughout our preparation for this trip (which actually included a literature review for a chosen topic). Therefore, this critical thinking actually helped us to develop a different approach, a so-called 3rd person perception of Vietnam. It allowed us to challenge ourselves in terms of developing our own views of the place, rather than being victims of the media and sources that we have only studied theoretically than actually experienced.

Returning to the Ha Long Bay cruise, I strongly believe that the time of reflection that was granted to us allowed us to "weigh up" on how much the actual culture and people determine a way we see a completely different country. It happened simply due to the fact that all we could witness during our cruise was the nature itself, that was pure and simply "virgin" before any men took advantage of it and have assigned the meaning to it.

Overall, this trip has left me with a number of ideas and facts about Vietnam and Asia but most importantly—it made me think, how the individuals and people in general may attach a certain meaning to anything that we see—whether it is the culture or the nature that was created without their interference.

References

Goffman, E. (1956). The Presentation of the Self in Everyday Life. Washington: Random House.

Merton, R. (1948). The Self-Fulfilling Prophecy. The Antioch Review, 8(2), pp.193-210.

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REFLECTING ON THE WESTERN PORTRAYAL OF GENDER EQUALITY IN VIETNAM

Eleanor Murray

Prior to our departure, I completed a literature review which compared the impact of economic reform on gender equality in urban and rural areas of Vietnam. The review aimed to determine where changes in gender equality and female empowerment were most transformative. The Academia available on this topic is dominated by western scholars, and, as a result, I almost blindly followed the assumption that women have more opportunities now than prior to the initiation of economic reform. By travelling to Vietnam, I discovered the true wealth of diversity the country boasts, realising that no matter how much one reads about Vietnam, you can never understand it until you are stood on Vietnamese soil, talking to Vietnamese citizens. Too often western assumptions lull us into a false sense of understanding of what gender equality truly means. We force the term into a rigid and unadaptable definition, rarely considering the history, traditions, and culture of a country.

For me, the most pivotal moment of the trip was our visit to the Vietnamese Women's Museum. Opening in 1995, its aim is to improve public knowledge of the historical and cultural heritage of Vietnamese women among the country's fifty-four ethnic groups. The museum teaches visitors that the role of Vietnamese women in life, community, religion, and culture has been recognised throughout the history and development of the country. Despite what western scholars may allude to, there is evidence of the ancient roots of a matrilineal society; historical and cultural studies of Vietnam have confirmed a 'mother principle', a 'female-rich culture' and a tradition of respect for women as women are seen as the inspiration behind society; 'a husband's command is less powerful than his wife's decision', 'husband's wealth, wife's service', 'being rich by friends, being opulent by wife'. In Vietnam's Central Highlands the Ede, Mongolian, Coho, Churu, and Raglai have a matrilineal tradition where the oldest woman has an important place and a decisive role in family affairs, brides and their family play the major role in the wedding, girls inherit family wealth and, while all children are special, girls are preferred.

Experiencing Vietnam first-hand allowed me to reflect on our imposed bias we place on countries outside the West. We pity and look down on those we have ranked lower than ourselves, failing to recognise their unique successes. I can accept gender equality has not yet been reached in Vietnam; son preference is still prevalent as a result of patrilineal family structures and there are still major concerns regarding early marriage, sexual abuse of girls, prostitution and trafficking. However, gender equality in Vietnam is something to be defined largely by women in Vietnam—not us. Vietnam is an incredibly diverse nation with unique needs regarding gender equality that cannot be met by following western models and expectation. This opportunity to explore Vietnam allowed me to question my own assumptions. I now commit myself to the belief that global gender equality will be reached once we stop imposing western biases on countries, such as Vietnam. We must start operating as a global community by improving communication between local communities and those with the power to make change.

Photo Credit: Kajsa Hallberg

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GLOBAL CRISIS LOCAL VOICES

In an interconnected and globalized world, the voices of the local communities struggle to make themselves heard on the international stage. But many issues that arise within international relations have consequences for ordinary lives and are therefore closely connected. Climate change, warfare and migration are all examples of this. They are often discussed in abstract terms with relation to international diplomacy, but threaten the actual livelihoods of small communities and ordinary people.

This was the setting of the conference 'Global Crisis, Local Voices', held in May 2018. This journal is a compilation of the papers presented at that conference, which was the second 'DEN International Student Conference'. The conference and this publication is one of the many projects that the Democratic Education Network (DEN) is responsible for since its launch in 2016.

This book is a collection of diverse works, all written by student authors from a range of different universities. From Democracy and Ideology, to Climate Change and China, it covers numerous concepts, ideas and geographical regions, that are often found in the studies of Politics and International Relations. This book is the result of passion and hard work from all students involved in its production and it is a project that we in DEN are incredibly proud of and hope to continue in the future.

"I encourage you to read these publications to catalyse views in you that stimulate great debate that helps you become part of the compassionate, progressive and responsible movement of young people that will help overcome injustices in the world and make the world a better place."

- Dr Peter Bonfield OBE FREng Vice-Chancellor and President
University of Westminster

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