The Journal of Public and International Affairs is a joint publication of the Association of Professional Schools of International Affairs (APSIA) and the Woodrow Wilson School of Public and International Affairs at Princeton University, with additional funding provided for this issue by the Nathan Cummings Foundation. It seeks to publish both scholarly and expository articles on a diverse range of subjects, covering the areas of international affairs, development studies, and domestic policy. The journal is an annual publication, accepting submissions from any advanced student in the field from any accredited institution. Submissions are reviewed in a blind screening process by an editorial board composed of students at Princeton and contributing editors from the other APSIA schools. Those wishing to submit papers for consideration may send them to: JPIA, Robertson Hall, Woodrow Wilson School, Princeton University, Princeton, NJ 08544-1013. A subscription and comments form can be found on the last page of this issue.

For financial support, we are thankful to the Association of Professional Schools of International Affairs (APSIA), the Nathan Cummings Foundation, and the Woodrow Wilson School.

\( J X : 1 \quad (1994) \quad \text{vol. 5, c. 2} \)

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Editors' Note

The Journal of Public and International Affairs (JPIA) is entering its fifth year as the only national journal for graduate students working in public and international affairs, and as such serves as a unique forum for the views of future scholars and policy makers.

For the 1994 issue of the JPIA, Contributing Editors at thirteen APSIA schools in the United States and Canada helped gather approximately 100 submissions for the selection process. Ten of these editors traveled to Princeton for our annual Reading Weekend, making it our largest yet. We look forward to building upon that success in future years. At Reading Weekend, the editorial board used a blind grading process to select nine of the ten papers included herein. In all, eight schools are represented in this year's issue, thanks in large part to the diversity of our selection pool.

The nine papers selected cover a diverse range of topics, from Greg McCue's article on the extradition of the Lockerbie bombing suspects to Paul Kan's discussion of realist theories of international politics. Kenneth Duckworth and Drew Smith address development issues in Russia and Vietnam, respectively, while David McCormick and Michael McCabe deal with problems with a large domestic impact — the use of the military in the war on drugs, and job-training programs for America's youth.

The tenth paper, Greg Hunt's article on self-determination for nationalities and the role of the international community, was the winner of the annual APSIA conference which was held at the University of Denver last May. The JPIA staff is grateful for the continued support of the APSIA deans, and in particular would like to thank Kay King, APSIA's Executive Director, for her gracious help and enthusiasm for the journal.

The JPIA also continues to feature a special section on environmental issues thanks to funding provided by a grant from the Nathan Cummings Foundation. This year's section has somewhat of an Asian focus: Clare Romanik examines the link between environmental and health problems in the area surrounding the Aral Sea, Daniel Hiatt discusses the benefits Japan has derived from its environmental regulatory policies, and Michael Jacobson warns of the deception behind China's seemingly pro-environment foreign policy stance.

The editorial board would like to extend special thanks to the Woodrow Wilson School and Princeton for their longstanding support of the JPIA. In particular, we wish to thank: Dean Henry Bienen and Assistant Dean Ruth Miller, for their generous financial and planning assistance; Agnes
Pearson, for helping with the logistics of the selection process; Pat Coen, for assisting in the production of this and last year's issues; and Ilene Cohen at World Politics, for giving us some suggestions for the promotion of the JPLA.
Realism and Its Discontents

Paul Rexton Kan

Kenneth Waltz is often regarded as the “heir apparent” to the realist throne which was left vacant by the death of Hans Morgenthau. This paper argues, however, that Michael Walzer, a supposed “idealist,” actually comes closer to agreeing with the substance of Morgenthau’s work. While Walzer’s arguments are not in themselves realist, he and Morgenthau share core beliefs about the nature of international politics, the legitimacy of states, and how states should interact. The author argues that Waltz, in basing his theory at the level of the system, does not share the common ground that Walzer and Morgenthau share by basing theirs at the level of the individual.

The savagery of war is often a motivation for theories of international politics. While theories obviously differ, many theorists, academics and theologians have commonly attempted to create foundations to moderate war’s excesses or to eliminate war altogether.

Realism emerged as a criticism of “idealism,” or the notion that a harmony of interests leads to peace. In fact, realists have argued that crusading for idealism in the name of this harmony leads to the direct opposite of what idealists intend.

Critics of realism charge that the realist division of morality and power into two spheres creates a rich environment for the

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excesses of war. Using the conduct of the Athenians towards the Melians, Michael Walzer writes that “if the realm of force is indeed distinct and this is an accurate account of its laws, then one could no more criticize the Athenians for their wartime policies than one could criticize a stone for falling downwards.” (Walzer 1992, 7)

But are the lines clearly drawn between who is a realist and who is not? The throne of American realism was left vacant by the death of Hans Morgenthau and succeeded by neo-realist Kenneth Waltz. However, as I will argue, it is not obvious that Waltz is the heir apparent. In fact, it may be Michael Walzer, a poor pauper of an “idealist,” who saves the kingdom and inherits the throne.

To proceed, each theorist’s work will be broken down on philosophical, political and global grounds roughly equivalent to Waltz’s three images. Within each category, a division will be made into two realms: the objective realm (theorist’s descriptions) and the subjective level (theorist’s prescriptions).

THE PHILOSOPHICAL LEVEL

The philosophical level takes into account a theorist’s conception of how human beings should act and how they do act.

The clearest conception of human nature is provided by Morgenthau. His notion of the selfish, power-driven individual is well-known. What is seldom recognized is Morgenthau’s emphasis on morality and ultimate values; even though humans are essentially selfish and power-driven, Morgenthau does not dismiss an individual’s moral nature.

In fact, Morgenthau is quite explicit about the element of morality in all human activity. Even those who should be guided by the national interest are not exempt from moral judgement (Morgenthau 1946, 201–202). The division of ethics and power into two spheres cannot be satisfactory to any civilization (Morgenthau 1946, 171).

With his juxtaposition of humanity’s evilness and moral capacity, Morgenthau agrees with much of Reinhold Niebuhr’s theology.1 Humans are presented as tragic figures, torn between two impulses that are equally culpable to the standards of the other.

For Morgenthau, one should act morally in personal and political life. In civil society, there is the duty of the intellectuals
to speak truth and the right of citizens to dissent (Morgenthau 1970). This component of Morgenthau's thought is often ignored for the racier material in *Politics Among Nations*.

Kenneth Waltz, who sees himself as part of the tradition of realism, is less explicit in his conception and prescription of human behavior. At first glance, Waltz appears to argue against any certain formulation of human nature because, as he paraphrases Niebuhr, it is "so complex that [human nature] can justify every hypothesis we entertain." (Waltz 1954, 40) However, Waltz seems to be sympathetic to Morgenthau's first premise of an individual's sinful nature since Morgenthau and other "first image pessimists provide a valuable warning . . . against expecting too much from the application of reason to social and political problems." (Waltz 1954, 40) As will be discussed in the following sections, when Waltz looks at state behavior, he emphasizes early Morgenthau's reliance on rationality.

Without a clear and precise view of human nature, there is little to find by way of prescription in Waltz's work at the philosophical level. It would seem that Waltz's only recommendation is to warn theorists who would emphasize reason (as opposed to Waltz's idea of rationality?) that to do so is a disservice to the project of eliminating war.

Michael Walzer's view of human nature also needs to be deduced. As one reads *Just and Unjust Wars*, one can conclude that humans have a moral capacity which is best expressed in terms of rights. War, as aggression, forces individuals to risk their lives for their rights to a political community (Walzer 1992, 51).

The essentially moral nature of human beings leads Walzer to argue that people do judge wars as just or unjust. But it is not only the act of aggression that is immoral; it can be behavior within a political community that is wrong. Because individuals possess rights, acts of genocide, enslavement and, in later writings, mass expulsion are also unjust. Such activities violate the rights of individuals within the community.

Walzer's assertion that individuals hold moral rights, combined with strong legitimacy of the inner life of the political community, presupposes other facets of human nature. As another theorist has argued, "Walzer overstresses the variety of justifiable regimes at the expense of his objective defense of individual life and liberty."
The prohibition of acts of genocide, enslavement and mass expulsion suggests that life and liberty are objective values that fall within the realm of human nature.

Both Morgenthau and Walzer may be seen as sitting on the opposite end of the table from Waltz. Morgenthau and Walzer see a moral component to human activity, but where Morgenthau explicitly pairs it with sinfulness, Walzer does not say whether or not war itself is caused by a part of human nature. By emphasizing the duty of the intellectual to speak truth to power and the right of the citizen to dissent, Morgenthau is also more strict in his conception of a moral component to human activity within the state.

Strangely, the theorist who claims a direct lineage to Morgenthau’s thought is silent in issues surrounding the morality of human behavior. Instead, we are instructed not to count on a harmony of interests as the road to peace.

**The Political Level**

While Morgenthau’s conception of human nature is well-known, his beliefs about the political community are downplayed. Morgenthau links individual selfishness directly to the building of government since it allows people to live securely and to pursue their happiness (Morgenthau 1970, 31).

Morgenthau, however, does not limit the role of government to providing security from external threats. “All politically civilized governments owe their continuing existence to a consensus concerning the foundations of society.” (Morgenthau 1970, 19) In other words, to be legitimate, a government must reflect the rules, values and, one could add, morals that the community holds.

This is a long way from early Morgenthau writings which defined interest in terms of power and defined power as “man’s domination over man.” In fact, *Truth and Power* does not even address the national interest, but examines the perversion of democracy in the United States.

Yet, Morgenthau leaves the door open to arguments about the nature of just regimes. If the squashing of the right to dissent is fundamentally unjust in democracies and if all governments are conceived as protectors of individual life, then Morgenthau would have to rule out activities that are more brutal than attacking dissenters, such as genocide, enslavement and mass expulsions.
Indeed, Morgenthau is quick to point to genocidal activities of the US military in Vietnam (Morgenthau 1970, 47); presumably he would also rule out genocide conducted within an individual's own society.

Walzer's own conception of political community is very similar to Morgenthau's. Walzer argues that a political community is, and should be, a "fit" between the people and the government for many of the same reasons given by Morgenthau. "The moral standing of any state depends upon the reality of the common life it protects and the extent to which the sacrifices required by that protection are willingly accepted and thought worthwhile. If no common life exists, or if the state doesn't defend the common life that does exist, its own defense may have no moral justification." (Walzer 1992, 54)

Protection from external interference is based on the rights of individuals at the philosophical level. Territorial integrity and political sovereignty "derive ultimately from the rights of individuals, and from them take their force." (Walzer 1992, 53) However, Walzer does not state which type of governments best realize individual rights with the exclusion of those that practice genocide, enslavement and mass expulsion. Furthermore, even nationalist movements must be judged by "the attitude they adopt toward other nations, not the quality of their internal life." (Walzer 1989, 554, emphasis added) Strangely, the same rights that give life to the political community do not also protect an individual from that community unless it is exterminating, enslaving or expelling large numbers of an individual's group.

Waltz comes close to both Morgenthau and Walzer, but only on the issues of state survival and autonomy. "Domestic political units" have endlessly varied aims; however, "[s]urvival is a prerequisite to achieving any goals that states may have." (Waltz 1979, 91) Along with survival, states are also functionally similar. They have agencies that make, execute and interpret laws and supply food, housing and amenities consumed by their citizens (Waltz 1979, 96).

However, nothing is said about states which fail to perform these functions. "An effective government," writes Waltz, "has a monopoly on the legitimate use of force, and legitimate here means that public agents are organized to prevent and to counter the private use of force." (Waltz 1979, 103–104) According to
Waltz, the Kurds, black South Africans and other oppressed people within a state not of their choosing should be resigned to suffer the inflictions, whatever they may be, from the agents of "legitimacy."

All three theorists value civil society, although Morgenthau and Walzer value it for particular reasons. Both Morgenthau and Walzer view the individual as the main justification for the state's existence and consensus as the reason for the state's continuing survival. But both point to easy examples of failures of consensus and all three lapse into a relativist position when it comes to arguing for a particular form of government.²

Waltz isolates himself by merely describing the functions of the state without addressing the way states become and continue to be legitimate entities. When pressed to define legitimacy, Waltz simplifies a Weberian formulation and presents it as if there is no moral argument (or consequence) involved.

THE GLOBAL LEVEL

The global level encompasses ideas about the behavior of states towards one another in the international arena.

It is on this level that Waltz rests the force of his theory. The international system provides the context for state behavior because, as Robert Keohane paraphrases, states are “strongly affected by the constraints and incentives provided by the international environment . . . Without prior systemic theory, unit-level analysis of politics floats in an empirical and conceptual vacuum.” (Keohane 1984, 26) Broadly speaking, Waltz emphasizes the anarchic condition of the world, in which states are the main actors, to explain behavior. Without any sovereign above the state, “self-help is necessarily the principle of action in an anarchic order.” (Waltz 1979, 111)

Waltz's emphasis on international anarchy leads him to constrain individual autonomy and motivation. Even the balance of power is “not so much imposed by statesmen on events as it is imposed by events on statesmen.” (Waltz 1954, 209) Taking Waltz's proposition to an extreme, one could argue that placing Gandhi, Mother Theresa and the Dalai Lama in a room without an "authority" would lead to a fistfight. The result is an expropriation of Morgenthau's rationality principle without a corresponding moral component. Instead of judging how a decision-maker should act by assuming his role, statesmanship becomes a game
with limited options. A statesman can analyze the distribution of power in each unit to predict how capable a state may be in attaining its goals.

Like Waltz, Walzer also sees the international system as a society of independent states existing without a final arbiter (Walzer 1992, 61). Like Waltz, he treats the system of states as is by giving states "as if" legitimacy. Because each state is a political community based on consent of its members, the state must be treated by other states as if it were just as legitimate as one's own state (Walzer 1985, 224). Therefore, the rights of sovereignty and territorial integrity form the basis of the non-intervention principle (Walzer 1992, 86–91). The international community must, according to Walzer, uphold the standards of non-intervention. As previously mentioned, this liberal view means that a state may take any form internally as long as it is not predatory in international affairs. To be an aggressor is to violate communal and individual autonomy.

However, this autarkic conception of the state proves to be both balm and bane in international affairs. If aggression is morally unjustifiable because it threatens the "fit" between ruler and ruled, but any "fit" between a government and its people is morally defensible, what happens when aggression is successful? Imagine the Iraqi Army's successful annexation of Kuwait making it the 17th province. Over the years, due to the pervasive repression of any uprising, the execution of dissidents and the resettlement of Iraqis from Iraq proper, only sporadic attempts at "braving labor and danger" are made by die-hard Kuwaitis. Should one treat Iraq "as if" it were the legitimate ruler of Kuwait? If so, then aggressors need only violate a few moral standards initially to be morally just in the end. Statesmen must carefully plan an invasion and successfully hold a state until resistance is crushed and then legitimacy is bestowed. Machiavelli could surely be content with Walzer's requirements.

Morgenthau also views states as an integral part of the international system (Morgenthau 1967, 9). Like Walzer, he also views morality as surrounding international action; however, Morgenthau is skeptical of morality's application. "To know that nations are subject to the moral law is one thing, while to pretend to know with certainty what is good and evil in the relations among nations is quite another." (Morgenthau 1967, 10)

This is the core of the realist critique of idealism. Unbridled morality in the international arena only leads to folly. To check
crusading morality, it is necessary to define what the national interest is and to act prudently with regard to other nations. The result is worth quoting Morgenthau at length:

For if we look at all nations, our own included, as political entities pursuing their respective interests defined in terms of power, we are able to do justice to all of them. And we are able to do justice to all of them in a dual sense: We are able to judge other nations as we judge our own and, having judged them in this fashion, we are then capable of pursuing policies that respect the interests of other nations, while protecting and promoting those of our own. Moderation in policy cannot fail to reflect the moderation of moral judgement (Morgenthau 1967, 11).

Very much like Walzer, Morgenthau believes that states should be treated with moral deference and toleration. One could reformulate Morgenthau's position in Walzerian language: To secure peace, a state must treat other states "as if" their interests were as valid as its own.

All three theorists share the conception of the international system comprised mainly of states existing in a condition of anarchy. Both Walzer and Morgenthau share the belief of limited morality in the conduct of international affairs and view the avoidance of conflict based on an attitude of tolerance. Waltz is unable to develop an ethic of international behavior since he prides his theory on being explanatory. Waltz assumes that states wish to survive and, in a condition of anarchy, this causes them to act in particular ways based on distribution of capabilities. There is no mention of what capabilities might be seen as just or unjust by a state's own population or by the international community.

**CONCLUDING REFLECTIONS**

The differences among all three theorists are clear, but the two who come closest to agreeing are Hans Morgenthau and Michael Walzer. The "father" of realism and the theorist who argues "against realism" share core beliefs about the nature of international politics, how governments become and remain legitimate, and how states should behave toward each other.

This is not to say that there are no significant differences between the two; yet what is striking is the similar meeting points between the two. Morgenthau has an explicit view of human nature upon which he rests much of his views. Walzer's view is less clear, but he also emphasizes the individual level for much of his
theoretical enterprise. Walzer is stronger on the specifics of a consent within a political community, but it is doubtful that Morgenthau would disagree with Walzer’s formulation to a significant extent. Walzer’s non-intervention principle based on the “as if” legitimacy principle leads to the same toleration that Morgenthau espouses in his conception of interest defined in terms of power.

But what of Kenneth Waltz? There seems to be little in the way of resemblance to his “father.” Unlike Morgenthau, Waltz bases his theory on systemic forces and not on the individual. Even more surprising is the lack of moral content when a moral argument is made. Waltz’s “four p’s” of pollution, population, poverty and proliferation speak to international common goods, but they are not considered part of an ethical motivation.3

Unfortunately, a shallow understanding leads to the belief that realism as a tradition merely encompasses fear, honor and interest as motivations for individual and state actions. To hold these tenets out as the key points of realism is to do it a great disservice. Realism emerged to unmask power in its guises and to protect one’s people from needless slaughter. Whether one chooses to be guided by notions of interest (Morgenthau) or by notions of communal rights (Walzer) is to serve the same purposes.

Is Walzer, then, the inheritor of the realist throne? Perhaps he is more like an Oliver Cromwell who captured the English throne by force, but refused to be called king. Walzer’s arguments lead to similar outcomes that the “king” would prefer, but the arguments are not themselves realist. The kingdom of international relations may be better off for it.

**Notes**

1 See, for example, Reinhold Neibuhr. 1932. Moral Man and Immoral Society. New York: Scribner’s, 1-22.

2 Although, I would give Morgenthau more credit for including a discussion of democracy. It is too bad that he does not push this argument into the international arena, but to do so may appear as a “blindness of crusading frenzy.”

3 It is very clear that Waltz means to use the “four p’s” to explain why states may have to abandon their own national interest in favor of interstate cooperation. These conditions point to presumptions about the porousness of national boundaries and the pervasiveness of international values. Waltz, however, chooses to classify them as mere stimuli.
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A Precarious Balance: The Role of the International Community in Weighing Self-Determination Against Ethnic Conflict

Greg Hunt

In this paper, the author argues that the international community must take significant responsibility for the current outbreak of ethnic violence. The unacceptable levels of human suffering and the destabilization of the international order that have resulted from ethnic violence necessitate the restriction and coordination of recognition practices. Further, the author argues, the international community should provide guarantees of protection to minorities and extend some of the benefits of statehood to non-state actors.

To put it in the simplest possible terms: there is a very large number of potential nations on earth. Our planet also contains room for a certain number of independent or autonomous political units. On any reasonable calculation, the former number (of potential nations) is probably much, much larger than that of possible viable states. If this argument or calculation is correct, not all nationalisms can be satisfied, at any rate at the same time. The satisfaction of some spells the frustration of others. This argument is further and immeasurably strengthened by the fact that very many of the potential nations of this

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world live, or until recently have lived, not in compact territorial units
but intermixed with each other in complex patterns. It follows that a
territorial political unit can only become ethnically homogenous, in
such cases, if it either kills, or expels, or assimilates all non-nationals.
Their unwillingness to suffer such fates may make the peaceful
implementation of the nationalist principle difficult (Gellner 1983).

All peoples have the right to self-determination: by virtue of that
right they freely determine their political status and freely pursue
their economic, social, and cultural development (Declaration 1960).

Within the eight months from 17 September 1991 to 22 May 1992 the
United Nations admitted 21 new states to membership of the
General Assembly (U.N. Handbook 1992, 14). This influx of new
members represented a greater intake than in any previous year
since the organization was founded and almost more than had
joined in any previous five year period (Crawford 1979, 135). With
the exception of North and South Korea, membership in the U.N.
represented collective recognition of statehood for each of the
new members. In short, they had achieved self-determination with
the full consent of the international community.

Self-determination, however, has not brought peace to Bosnia,
Armenia, Moldova, or indeed almost any of the former Yugoslav
or Soviet Republics. One legacy of statehood has been the
orphanning of ethnic minorities, such as ethnic Russians in Moldova
and ethnic Serbs in Croatia and Bosnia, separated from their parent
state behind international borders (Horowitz 1992, 25).

The premise of ethnic exclusivity which has accompanied the
formation of these new mono-national states has meant not only
separation for minorities from their former “cousins” (Horowitz
1992, 25) but also a sense of exclusion from the new political unit
in which they now find themselves (Goble 1992). As one comment-
tator, Yale Professor Michael Reisman, has argued:

When one group decides to self-determine, other folks in the
neighborhood with the wrong skin or religion or dialect discover that
they have just been ‘unselved.’ For them, self-determination means
“Get out.”... Of course, people don’t leave their homes voluntarily.
They have to be persuaded. That means killing them until everybody
gets the idea (Reisman, 1992).

Irredentist claims attempting to reunite minorities with their rump
ethnic groups and secession claims by subnational units such as
Abkhazians in Georgia and all 17 autonomous republics in Russia represent a possible source of further brutal interethnic conflict.

In light of heightened ethnic awareness, the existing conflicts in the Balkans and the Caucasus, and the potential for further fractures in both Europe and Africa, the question must be asked as to what action the international community can take in order to prevent cleavage from becoming carnage. In particular, the issue arises whether the principle of self-determination should be given a more restricted application by the international community.

This paper will argue firstly that the international community must take significant responsibility for having contributed to the current outbreak of ethnic violence. Further, the effects of untrammeled ethnonationalism are too destabilizing to the international order and are unacceptable in terms of human suffering to allow the recent generous approach to self-determination to be maintained. As such, international recognition practices should be restricted and coordinated so as to limit the aspirations of potential claimants and to give effect to an overarching concept of public order. Finally, not only must the prospect of rewarding violence with statehood be removed but the root cause of ethnic chauvinism must also be confronted. Hence the fear which in part motivates separatism must be addressed by guaranteed international protection of minorities and the extension of some of the benefits of statehood to non-state groups.

THE STATE SYSTEM AS A CAUSE OF ETHNIC CONFLICT

It is important to consider what contribution international recognition practices have made to the current round of ethnic hostilities and what consequences these hostilities have in turn created for international order. Despite the violence of what Harvard’s Joseph Nye calls “new tribalism—the demand of ethnic groups for self government,” (Nye 1992) it should be noted that ethnic disruption has been a constant feature of the state system since its evolution and a particular focus of commentators since the Second World War. Alfred Cobban in 1944, Rupert Emerson in 1960 and Milton Esman in 1977 all argued that their particular age was subject to a horrifying new wave of ethnic discord. Can a plausible case be made then that the spectre of ethnic conflict is materially different in 1992 to the landscape which confronted Cobban, Emerson or
Esman? The answer appears to be yes, and it is the international community rather than internal factors to which we should look for the explanation of a new variable in the dynamics of ethnic strife.

**Causes of Ethnic Violence**

It is unlikely that international events will of themselves be able to provoke hostility between different social groupings unless there is a pre-existing cleavage capable of exploitation. As such, there usually must be a source of internal friction between two social groups. Despite the diversity of literature which attempts to explain the causes of ethnic disharmony, some common themes emerge. Ethnic identification with the group arises from the experience of a common origin and is generally ascriptive, based on some inherited rather than chosen trait, although this is not immutable. Further, identification is strengthened by what Immanuel Kant described as “partiality” or “the tendency to make exceptions on one’s own behalf or one’s own case.” (Gellner 1983, 2) This partiality in turn creates resentment within the excluded group. In the specific context of claims for self-determination, Alexis Heraclides has identified three independent variables which he asserts are common to both the literature about secession movements and the movements themselves: “one is territory and a territorial base for activity; another is the existence of a sizable human grouping, a collectivity that defines itself as distinct; and third is the type of relationship [unequal] existing between the Center and this collectivity.” (Heraclides 1991, 13) Such disagreements between groups generally require a catalyst before they will escalate into conflict. Indeed, Crawford Young actively draws a distinction between the underlying roots of dissatisfaction and events which provide an immediate trigger of hostility (Young 1975, 65–67).

Horowitz (1992) identifies three recent international events which have acted as catalysts for self-determination movements and for ethnic conflict. First, Eritrea’s victory in its war of secession from Ethiopia has combined with the conflicts in Liberia and Somalia (each prefaced on the ejection from office of ethnically repressive regimes) to “make African boundaries seem more uncertain than they have been since decolonization.” (Horowitz 1992, 23) As a consequence, the traditional OAU position that inherited
boundaries are a "tangible reality" and that leaders will "respect the frontiers existing on their achievement of national independence" (Organization of African Unity 1964) has been severely weakened. The Africanist Jeffrey Herbst has suggested that these events have been compounded by the simultaneous withdrawal of superpower support for many African regimes and the absolute rigidity of the continent's boundary system:

The superpowers were concerned with cultivating clients in all parts of the world and were therefore willing to help African states crush ethnic rebellions or threats from neighbors. Thus, Zaire won crucial aid from the United States in turning back the Shaba rebellions, Chad relied on France to retain its territorial integrity in the face of Libyan aggression, and Ethiopia was given critical military support by the Soviet Union in order to resist Somalia's irredentist claims... More generally, the superpowers created a global environment between 1945 and 1989 that made any attempt at a boundary change appear illegitimate (Herbst 1992, 19).

The second significant event identified by Horowitz was the disintegration of the Soviet Union. Already the second generation secession movements which have emerged within the former republics are testimony to the dynamic that "secession begets secession." Ironically, as Victor Zaslavsky notes, a number of the independent states, emerging as a result of the Soviet and Yugoslav disintegration, never developed any authentic separatist movements. Their independence was not achieved through self-determination but rather imposed on them from the outside (Zaslavsky n.d.).

The message given by the virtual expulsion of the Central Asian Republics from the former Soviet Union was a simple one. It was an affirmation that states are neither plural nor a collection of peoples but comprised of a single homogenous group.

The dismemberment of Yugoslavia, Horowitz's third event, represents a further model for would-be secessionists to imitate. Horowitz points out that the recognition of Slovenia, Croatia and Bosnia-Herzegovnia against the wishes of Yugoslavia whilst conflict still continued indicated a sudden change in the international community—or at least the Western states of the international community—towards recognition of the claims of secessionists to statehood (Horowitz 1992, 23). Reisman has protested of this recognition: "Poor Woodrow Wilson must be spinning in his
grave. He introduced self-determination out of concern for human beings and their rights. The result in the territory that was Yugoslavia is a travesty of the principles that animated Wilson and a mockery of human rights.” (Reisman 1992)

In addition to the above examples, the reunification of Germany and the breakup of the Czech and Slovak Republics have reinforced the message that nations belong in a single state and that states cannot accommodate more than one nationality. The notion that even European boundaries are fluid must also prove heartening to those seeking independence from less established states.

Two ongoing features of the international system have also contributed to the problem of ethnic violence. The first is the state system itself, which has witnessed a proliferation of new members since the Second World War. Ian Brownlie has noted that the quest for self-determination does not by definition always imply aspirations to statehood and thus may be satisfied by regional autonomy, self government or a similar form of self rule (Brownlie 1988, 1–16). However, the mystique attached to statehood, state proliferation and statehood’s position as the hallmark of independence has meant that few have been willing to settle for a lesser form of autonomy.

The second systemic factor contributing to the escalation in ethnic violence has been the supply of firearms to regions of potential conflict by both the United States and the former Soviet Union. An interesting contrast can be drawn between the level of violence in the former superpower spheres of influence such as Somalia and Liberia and that of Fiji which, despite having undergone two ethnic coups in 1987, nonetheless remained free of violence (Robertson and Tamanisau 1989; Robie 1989). It may be argued that a critical prerequisite to the partial reconciliation of Fijians and Indians in 1992 was the absence of violence following the coups in 1987 and that the absence of violence was in itself a clear function of the unavailability of arms to Indian Fijians. Unlike Fiji, however, arms are not in short supply within Africa, the Balkans and the former Soviet Union.

**Consequences Of Ethnic Conflict For International Order**

If recent international events and recognition practice have contributed to the problem of ethnic violence, it is necessary to
consider what consequences these developments hold for international order. There appear to be two critical consequences which flow from the recent formation of new states. The first is that states cannot fragment indefinitely so as to accommodate all potential claims for self-determination; the second, that the new notion of self-determination may collide with concepts of pluralism. Gellner has asserted that “[o]ur planet also contains room for a certain number of independent or autonomous political units.” (Gellner 1983, 2) More recently, U.N. Secretary General Boutros Boutros Ghali has stressed that “if every ethnic, religious or linguistic group claimed statehood, there would be no limit to fragmentation, and peace, security and economic well being for all would be ever more difficult to achieve.” (Reisman 1992) Fewer than 10 percent of states are ethnically homogenous; in Africa alone there are over 1,000 ethnic and linguistic peoples (Nye 1992).

Walker Connor has argued that “the restraint of size” is no longer a prohibition to national self-determination (Connor 1977, 31). However, there are two clear problems with this approach. The first is that even if a retreat to the city-state could represent a viable international order, the current process of attainment appears far too violent. Further, the majority of states are heterogeneous and have ethnic populations mixed throughout their territory. If each people were to seek a nation-state as their home there would be the potential for an almost limitless disintegrative process by which each successive minority seeks to claim identity and legal personality.

A second consequence which the international community must face with respect to self-determination and ethnic conflict is a threat to notions of pluralism. If an effectively plural society can be defined as one in which “[e]ach group holds by its own religion, its own culture and language, its own ideas and ways” and “[d]ifferent sections of the community [live close] side by side, but separately within the same political unit,” (Furnival 1948, 304) then the principal of plural accommodation may be undermined by the concept of self-determination, which at its extreme implies the right of a separate state for each nation. Walker Connor has argued:

The self-determination principle holds that any people, simply because it considers itself to be a separate national group, is uniquely and exclusively qualified to determine its own political status,
including should it so desire, the right to its own state. The concept therefore, makes ethnicity the ultimate standard of political legitimacy (Hannum 1990, 7).

This notion has been reinforced by what Hannum considers to be the misleading use of the term “nation-state” with its implication that the state is reserved for a single nationality and that each nationality deserves a state (Hannum 1990, 24). Ethnic groups and leaders often choose not to draw distinctions between homogenous societies and heterogeneous societies. Thus, even in a heterogeneous society where there is no real option of secession, the rejection of accommodation with a valid “other” within the political unit (in the same way that homogenous societies seeking independence also reject the “other”) may lead to a breakdown of order. The Indian author and U.N. official Shashi Tharoor has argued that only pluralism can enable India to survive without wrenching violence and that such a notion is under threat where philosophies of self-determination “for each people” are allowed to predominate:

Our sense of nationhood lies in a simple insight: the singular thing about India is that you can only speak of it in the plural. There is no one standard, only countless variants... This pluralism is made inevitable by India’s geography and reaffirmed by its history. There is too much of both to permit a single exclusionist nationalism (Tharoor 1992).

If ethnic violence is then to be minimized, the question must be asked in what way should the international community limit the right to self-determination and also what concessions should be made to non-state groups in order to defuse their claims for self-determination.

LIMITING THE RIGHT TO SELF-DETERMINATION

In discussing proposals for a normative regime it is necessary to first examine the traditional content of what constitutes self-determination and secondly to identify who should achieve statehood.

**Traditional Perspectives on Self-Determination, Statehood and Recognition**

Article 1 of the Montevideo Convention outlines the classical formulation of statehood:
The state as a person of international law should possess the following qualifications:

(a) A permanent population;
(b) A defined territory;
(c) Government;
(d) Capacity to enter into relations with other states (Montevideo Convention, 1993).

On this basis, statehood is a fact or a condition, and as Lauterpacht has argued,

To recognize a political community as a state is to declare that it fulfills the conditions of statehood as required by international law. If these conditions are present, the existing states are under the duty to grant recognition. In the absence of an international organ competent to ascertain and authoritatively to declare the presence of requirements of full international personality, states already established fulfill that function in their capacity as organs of international law (Lauterpacht 1947).

Lauterpacht's position is quite different from the “constitutive” perspective which asserts that it is the act of recognition by existing states which bestows statehood. Thus, the United States representative to the United Nations declared in 1950:

I should regard it as highly improper for me to admit that any country on earth can question the sovereignty of the United States of America in the exercise of that high political act of recognition of the de facto status of a state . . . There were certain powers and certain rights of a sovereign which were not yielded by any of the Members who signed the United Nations Charter and in particular this power to recognize the de facto authority of a provisional government was not yielded (U.N. Security Council Official Record 1950).

Evidence of the power of the United States position is that both unilateral and collective recognition practices have on occasions ignored the attainment of those facts outlined in the Montevideo Convention. As James Crawford suggests, it is clear that both Taiwan and Rhodesia have effectively operated as states within the traditional formulation, yet each has been denied the prize of international recognition and formal statehood for normative and political reasons (Crawford 1979, 76). Therefore there already has been an element of normative philosophy in the practice of international recognition. As Roy Lee (personal interview, 12 November 1992), Principal Officer of the Office of Legal Counsel
Greg Hunt

at the U.N., has remarked, "[i]n practice, during the past 40 years international recognition has been largely dependent on East-West relations."

Self-determination, the aspiration to statehood, therefore can be considered only in the light of international recognition. If statehood is the goal of self-determination, and recognition the means of achieving that goal, then recognition becomes a critical tool in regulating the fortunes of those seeking self-determination. The philosophical roots of self-determination are found in the notion of popular sovereignty established by the French revolution: "government should be based on the will of the people, not on that of the monarchy, and people not content with the government of the country to which they belong should be able to secede and organize themselves as they wish." (Rigo 1973, 17) Ruth Lapidoth has concluded that, in surveying the overall position of jurists in relation to self-determination, "the rights of peoples to self-determination seems to be generally accepted." (Lapidoth 1992, 336) This position is supported by Hannum, Brownlie and Gros Espeill, among others. The key issue, however, of who constitutes a "people" capable of aspiring to the right of self-determination generally has been given a more restricted definition and perhaps has been best summarized by Gros Espeill as being an automatic right only to peoples within a territorial unit which is under colonial or external rule:

The United Nations has established the right of self-determination as a right of peoples under colonial and alien domination. The right does not apply to people already organized in the form of a state which is not under colonial rule and alien domination, since resolution 1514 (XV) and other United Nations instruments condemn any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country (Gros Espeill 1980).

In short, while self-determination appears to have been established as a right, it has been circumscribed in great part by the qualification that it apply principally to people under external colonial rule. Further, although the attainment of statehood is theoretically a fact, recognition practices have been normative and constitutive; and, excepting Bangladesh in 1970, states have until recently refused to legitimate secession movements carried out against the will of the parent state.
The recognition of the Balkan states and the success of Eritrea, however, have challenged the traditional approach and herald a far more accommodating international regime for would-be secessionists than that currently in place.

Who Should Achieve Statehood?
In order to determine the principles upon which international recognition policies should be based, the ideals of self-determination should be approached from two perspectives. First, the "rights" of claimants themselves must be examined. Second, there must be a consideration of the effect of statehood from the purview of international order.

It is natural that ethnic or other social groups seeking autonomy will assert their own status as a "nation" or a "people." As Hannum (1990, 5) suggests, "state and non-state groups define themselves as peoples or nations not because these are necessarily descriptive or because they will contribute to a better understanding of a given situation but rather because certain legal consequences are thought to flow from such designations."

Assertion of self is a critical element in the formation of nationality according to several authors. Anderson describes the nation as "an imagined political community—and imagined as both inherently limited and sovereign." (Anderson 1991, 6) Hobsbawm (1990, 8), although dismissing "voluntarism" as a source of nationhood, nevertheless concludes that "[a]s an initial working assumption any sufficiently large body of people whose members regard themselves as members of a "nation," will be treated as such." And Seton-Watson (1977, 5) states that a "nation exists when a significant number of people in a community consider themselves to form a nation, or behave as if they formed one."

In addition to the element of will, objective ties such as language, culture, history, religion and perhaps most importantly a common territorial base are generally also considered to be an indispensable feature when national units seek statehood. If "nationalism" is "primarily a principle which holds that the political and national unit should be congruent," (Gellner 1983, 1) then self-determination is a process of achieving nationalism's goals. If one probes more deeply into the normative content attached to this
notion of self-determination it can be seen that the underlying philosophy is the provision of choice for individuals. If at core the purpose of self-determination is to give effect to the will and therefore the rights of a particular group, then there must be a balance of the overall human rights consequences for the "others" who are created as such when one group achieves determination of the "self." Therefore, from the claimants' perspective, self-determination for one must not extinguish or impinge upon the same right for another.

From the perspective of international order, I suggest that the protection of minorities should govern the practice of international recognition. As such, there must be a consideration of the effect that a grant of statehood will have on others within both the original and potential states. Thus, homogeneity of an aspirant group may appear to limit the possibility of damage to minorities; however, the example of Slovenian recognition shows the effect that self-determination for a largely homogenous group may have on other units within a federation (Reisman 1992; Nye 1992).

In contrast, any threat to a group seeking self-determination must be considered in its favor. Thomas Franck (1990, 168) has suggested that from the international perspective consideration should be give to the notion of "entitlement to equality," and that "self-determination is a right applicable to any distinct region in which the inhabitants do not enjoy the rights equal to those accorded all people in other parts of the same state." Lee Buchheit (1978, 222) advances a more limited concept of "remedial secession" as a remedy for ultimate oppression. Given the object of protecting order, and human rights and minimizing ethnic violence, Buchheit's position appears reasonable. Yet, it was on this same basis, rather than any real belief in effective statehood, that Bosnia was recognized and granted admission to the U.N. Maltreatment is also a claim likely to be made, for example, by secessionist movements in Burma, India and Indonesia.

It is asserted then that there should be an extraordinarily strong presumption against the granting of recognition to secession movements which should only be overturned in cases of exceptional threat to the group seeking self-determination. In any event there must be a balancing of the long-term human rights consequences likely to flow from recognition. Above all else, if the right
to self-determination is to be limited there should be a far greater emphasis placed upon collective recognition and collective protection of minorities.

A NEW ROLE FOR THE UNITED NATIONS

Charles Hill, Special Consultant to U.N. Secretary General Boutros Boutros Ghali, has suggested that the United Nations already exercises "de facto certifying power" of what comprises a state since every claimant to statehood seeks membership in the U.N. The breadth of this power, however, has been challenged by the example of Germany's unilateral recognition of Croatia and Slovenia, which effectively ushered both units into the international community. Nevertheless, whilst not the sole arbiter of statehood, the U.N. is capable of bestowing statehood, implying Dugard's conclusion that:

During the past 30 years it has promoted and secured the statehood of many erstwhile colonies through the process of admission to the United Nations. Existing member states have frequently acknowledged the statehood of the new member by their vote in the General Assembly or Security Council and not by formal notification of recognition (Dugard 1987, 78).

It is suggested that a formal process of collective recognition may allow a unified international approach to acknowledgment of new states. As such, it would be expected that states will not recognize unilaterally but will reserve their recognition for votes within the U.N. System. If this is to be the case, it appears desirable to remove the power of the veto currently available to the permanent members of the Security Council on matters of recognition.

Thus, armed with the power of collective recognition and an extremely strong presumption against self-determination in disputed claims it would be possible to police entry into the international community. A new restriction on the likely success of self-determination movements must also be accompanied by protection of minorities if the fears which ignite ethnic violence are to be defused. Accordingly there are a number of specific policies which may be adopted by the United Nations in relation to minority protection.

The first policy which I would propose is greater U.N. involvement in non-state solutions to claims of self-determination. Hannum has suggested that:
In a few instances, demands for autonomy may be satisfied only by
the emergence of a new, independent state in which the dissatisfied
segment can exercise "sovereign authority." In others successful
autonomy may imply no more than protection from discrimination
and preservation of cultural, linguistic or other values from majority
assault. In many instances, adoption of a federal system or the
devolution of meaningful power from the center to geographic,
linguistic or ethnic based regions is sufficient (Hannum 1990, 4).
Accordingly, the U.N. should involve itself more directly in negoti­
tiating regional autonomy for groups such as the East Timorese and
Keren of Burma.6

In addition to a more assertive role in overseeing negotiations
between competing units, the U.N. should adopt a more interventionist
approach to monitoring and protecting minority rights
against abuse. If minorities are being asked to limit the scope of
their plans for autonomy, then there is a corresponding interna­
tional obligation to offer protection against potential state preju­
dice. A practical application of this principle could begin with the
stationing of U.N. observers in potential areas of abuse such as Dili
in East Timor or the Trans-Dniester region of Moldova. This case
has been put most strongly by Nye who has observed that:

of course in many parts of the world such principles [protection
of minority rights] are resisted and violations go unpunished. A
foreign policy of armed multilateral intervention to right all such
wrongs would be another source of enormous disorder. But we
should not think of intervention solely in military terms. Intervention
is a matter of degree. Actions can range from statements and limited
economic measures to full fledged invasions. Limited interventions
and multilateral restrictions of sovereignty in egregious cases need
not disrupt the international order (Nye 1992).

A third means by which the U.N. may seek to mollify claims for
self-determination is by encouraging non-state participation in the
international system. Ivo Duchacek has argued that there is a
growing incidence of subnational involvement in international
trade and even low level diplomacy. In particular Duchacek makes
reference to the diplomatic missions maintained overseas by territo­
torial units within federal states. In the case of separatist ethnic
territories, an extremely important purpose may be served through
the simple action of international acknowledgment for a subnational
group. In addition to the symbolic recognition provided by
subnational-national contacts, further security for territorial based units may be gained through trade and cultural exchange (Duchacek 1988, 199).

A final policy, which may ameliorate ethnic division, is conditioning the decision to admit a new state to the United Nations upon the “adoption of constitutions guaranteeing human rights and accepting provision for international surveillance and mediation of the condition of minorities.” (Nye 1992) One means of implementing conditional membership may be the revival of a previously abandoned concept. The notion of “associate” membership of the United Nations was advocated during the period from 1965–1970 on the basis that micro-states could be given membership without voting rights or with only limited voting rights (Crawford 1979, 139).

Conditional or associate membership with limited voting rights for a set period of time, may represent an important means by which new states could be compelled to protect minority rights. If the new states of Bosnia and Croatia had been offered membership contingent upon formal constitutional protection for minorities, then some of the force of Serbian fears may have been deflected.

CONCLUSION

It is clear that recent international events have contributed to the incidence of ethnic violence with which the world is now faced. Left unchecked, claims for ethnic self-determination represent the potential for a brutal process of fragmentation and the destruction of the pluralist ideal. In such a circumstance it behooves the international community, in particular the United Nations, to control the source of such claims.

Ultimately, it is only by removing the incentives for violence and by offering dramatically increased protection to ethnic minorities that the international community may be able to control the “new tribalism” of ethnic conflict and offer a just outcome for minorities. If, however, statehood is allowed to be viewed as the natural corollary of self-determination and a right due to all peoples, then we will witness many more Bosnias and Armenias before nationalism runs its course.
Notes
1 For example, Buchheit notes:
"At the time of this writing, newspaper columns are filled with dire predictions of the possible secession of Quebec from Canada . . . One also reads of an invasion of the Shaba Province of Zaire . . . Eritrean guerrillas are reported close to accomplishing separation of that area from Ethiopia while insurgents backed by neighboring Somalia are proclaiming their control over the long disputed Ogaden region in Southeast Ethiopia. Basque and Catalan nationalist sentiment continues to simmer in Spain . . . The United Kingdom warily watches the growing popularity of certain Scottish and Welsh separatist groups. France is made continually uneasy by the demands of Britons and Corsicans." (Buchheit 1978)

This excerpt was written in 1977, although it could easily have been written in 1994.
2 By common consent there were 72 territorial units which constituted states prior to 1943. This has now grown to United Nations membership of 184 in addition to a number of non-member states and principalities (Etzel 1977).
3 Although it might be suggested that the Fijian Indian relationship was not of a character likely to lead to violence, a large shipment of arms bound for the Indian community in Fiji was nevertheless intercepted in Australia following the coups.
4 Taken from a personal interview with Charles Hill, Special Consultant to the U.N. Secretary General, on 22 October 1992.
5 Following the advisory opinion of the International Courts of Justice (1950) on the Competence of the General Assembly For the Admission of a State to the United Nations, it is settled that a permanent member of the Security Council may block a recommendation for membership thereby preventing the General Assembly from proceeding to vote on admission.
6 Chapter VII of the U.N. Charter allows the Security Council to take action with respect to any “threat to the peace, breach of the peace, or act of aggression.” The recent Security Council resolutions authorizing deployment of U.N. forces within Somalia and Mozambique clearly indicate that significant ethnic conflict and civil war are subjects capable of constituting a “threat to the peace.”

References
A Precarious Balance: The Role of the International Community


Organization of African Unity. 1964. OAU Resolution on Border Disputes.


A Precarious Balance: The Role of the International Community

Since 1989 the U.S. armed forces have been deeply involved in the war on drugs. This essay analyzes the origins, conduct, and cost-effectiveness of the military’s participation in the drug war over the last five years. It argues that costs have outweighed the benefits of military involvement, and that committing the military to the war on drugs was an ineffective and inappropriate policy decision. Finally, to avoid similar policy failures in the future, it presents a set of conditions which should be satisfied before committing military forces to non-traditional roles.
U.S. military has dedicated billions of dollars and incalculable military man-hours to fighting the war on drugs.

In this essay, I analyze the origins, conduct and cost-effectiveness of the military's involvement in the war on drugs over the last five years. I argue that costs of military involvement have outweighed the benefits, and that committing the military to the war on drugs was an ineffective and inappropriate policy decision. Finally, I present a set of conditions which should be satisfied before committing military forces to non-traditional roles in the future.

The analysis is in five sections. First, I argue that demands for military involvement in a wide range of non-traditional roles are growing, raising questions about the potential costs of expanding military mission. Second, I explore the origins and conduct of the war on drugs. The third section analyzes the effectiveness of this effort and concludes that military involvement has had a negligible effect in reducing the supply of illegal drugs within the United States. The fourth section examines economic, legal, political and combat readiness costs of the drug war and concludes that the benefits of militarizing the drug war have been minimal in comparison to the costs, supporting my thesis that committing the military to the drug war was inappropriate. In the final section, I compile a set of lessons learned from the war on drugs and propose a set of conditions which should be satisfied before policymakers commit military forces to non-traditional roles in the future.

NON-TRADITIONAL ROLES FOR THE U.S. MILITARY

For the first time since World War II, policymakers are evaluating how U.S. armed forces should be configured to meet the unpredictable challenges of a dynamic international system. The spectrum of potential military missions ranges from traditional combat operations to non-traditional roles such as participation in economic renewal projects, humanitarian assistance and drug interdiction at home and nation-building, humanitarian efforts, and UN peacekeeping abroad (Huntington 1993, 41). In recent years, military involvement in this second, non-traditional set of missions has gained increasing support in both public and policy circles.

At least four factors contribute to this phenomenon. Americans have traditionally respected the integrity and ability of the military
and have a propensity to “call in the cavalry” when a problem needs solving (Mabry 1990, 31). The Persian Gulf War has also buoyed public confidence in the military. Second, increasing skepticism about the ability of government agencies to solve social problems such as rising lawlessness, drug abuse and violent crime has caused many to turn to the military as a potential panacea. Third, policymakers, and members of Congress in particular, have been frustrated by an inability to fund or to legislate workable solutions to the nation’s ills, and have begun to scrutinize military alternatives more closely. The 1993 Defense Authorization Act, under the stewardship of Senator Sam Nunn, encouraged the armed forces to become involved in improving the economic and social conditions in the United States (Dunlap 1992, 8).

Finally, with the demise of the Soviet threat the military is scrambling to identify new missions to justify its current funding and force structure. Military planners see non-traditional roles as an effective means for justifying existing equipment and personnel, as well as new initiatives. As retired Army Chief of Staff Edward Meyer conceded in 1991, “The end of the Cold War makes it inevitable that the army will shrink far below the 772,000 on duty today.” The drug problem and other social and economic woes, he argued, “can replace the Soviet evil empire as the necessary enemy.” (Carpenter and Rouse 1990, 16)

There has been a heated debate among policymakers over proposals for increased military involvement in “civilian” functions. Military purists hold that the armed forces exist solely to deter or defeat the enemies of the United States in combat. They fear that diverting resources and the focus of the military will erode combat readiness and jeopardize the appropriate balance in civil-military relations. Secretary of Defense Casper Weinberger wrote in 1985 that “Reliance on military forces to accomplish civilian tasks is detrimental to both military readiness and the democratic process.” (The Pentagon’s War on Drugs 1992, 1) Proponents of expanding military involvement argue that the armed forces possess vast resources, sophisticated equipment and specialized training ideally suited for confronting the challenges now facing U.S. domestic and foreign policymakers. They assert that the U.S. military can and should serve civilian uses such as domestic renewal, humanitarian assistance at home and abroad and peacekeeping operations, and that these non-combat missions need not detract from combat readiness. Samuel Huntington writes that
“the military should willingly undertake whatever non-traditional missions the President or the Congress assign it.” (Huntington 1993, 12)

This essay uses the drug war as a case study and finds merit in both arguments. Since U.S. military involvement in non-traditional missions will continue and may expand due to the factors described above, the question of how to define these missions and what the criteria for military participation should be will become increasingly important. Secretary of Defense Casper Weinberger proposed a set of criteria in November 1984 for deciding when the U.S. military should be committed to combat operations. He argued that military force should be used only if long-term public and congressional support is assured, if there is a Congressional commitment to win, and if there is a clear definition of the objectives that are being sought (LaFeber 1991, 309). Regardless of the validity of Weinberger’s criteria, they provided a useful framework for evaluating the merits of employing military force prior to committing American forces to combat in Panama and Iraq. Drawing on the lessons of the military’s participation in the drug war, this essay will propose a set of criteria similar to that outlined above to help policymakers answer the question of when to commit military resources to non-combat missions. With that objective in mind, however, I first turn to an analysis of the war on drugs.

THE ORIGINS AND CONDUCT OF THE WAR ON DRUGS
Although it was George Bush who committed the armed forces to the war on drugs in 1989, President Ronald Reagan took crucial steps towards increasing military involvement during his second administration. Reagan signed National Security Directive 21 in April 1986, declaring drug trafficking “a threat to the security of the United States.” Publicly linking the drug problem to national security helped set the stage for military involvement. Soon commentators were openly discussing, and in some cases advocating, increased military involvement. Conservative columnist James Kirkpatrick, for example, argued at the time, “Our soldiers, sailors and airmen are being paid to protect national security. Let them earn their pay.” (Carpenter and Rouse 1990, 3)

The Department of Defense (DOD) had been assisting civilian law enforcement agencies in the antidrug effort since the early 1980s by lending equipment, providing specialized training and
sharing intelligence. President Reagan deepened military involvement in 1988 by ordering the Department of Defense to allocate $439 million from its 1989 budget for antidrug efforts, over the objections of Chairman of the Joint Chiefs of Staff Admiral William Crowe, National Security Advisor Frank Carlucci and Secretary of Defense Casper Weinberger. He also proposed that DOD serve as the lead agency for detection and monitoring of drug trafficking across U.S. borders (Sanchez 1991, 124). There were also calls for expanded U.S. antidrug efforts in Latin American countries that supplied cocaine to the United States. Weinberger criticized these proposals, stating publicly that “calling for the use of the government’s full military resources to put a stop to the drug trade makes for hot and exciting rhetoric. But responding to those calls...would make for terrible national security policy, poor politics, and guaranteed failure in the campaign against drugs.” (Carpenter and Rouse 1990, 15)

The military was initially reluctant to assume leadership in the antidrug campaign. Senior officers feared becoming enmeshed in a Vietnam-like quagmire in which civilian policymakers would restrict military options (Trainor 1992, 12). Senior defense officials, military officers and numerous drug policy experts warned that enlisting the military in the war on drugs could lead to corruption within the armed forces, raise civil liberties concerns about military intelligence gathering and reduce combat effectiveness (Mabry 1988, 59). Finally, military officials were deeply suspicious of civilian motives and feared politicians would make the military into a scapegoat to deflect blame for crime and other drug-related problems. As Colonel (ret.) Harry Summers wrote in 1989, “All the rhetoric about using the armed forces to combat drugs should be seen for what it is...a smoke screen by the politicians to attempt to hide the fact that they haven’t got the will or the backbone to really fight a war on drugs. All they want is the military to serve as a whipping boy when their posturing bluffs fall through.” (The Pentagon's War on Drugs 1992, 2)

Nevertheless, political momentum had already shifted in favor of militarizing the war on drugs. The 1989 Defense Authorization Act made DOD the “lead agency for the detection and monitoring of air and sea [drug] trafficking across our borders” and assigned it the additional missions of headquartering regional drug efforts and supporting state national guard interdiction efforts. The sticky
question of how “direct” the military’s involvement would be was deliberately left ambiguous (Sanchez 1991, 124). The groundwork had been laid for expanding the military’s role in the war on drugs.

In 1989, the Bush administration adopted a three-pronged National Drug Control Strategy for targeting the supply of drugs in the United States. The first prong was a massive military interdiction effort focusing on primary supply routes along the Pacific and Caribbean coastlines and the southwest border of the United States. The second prong, known as the Andean initiative, aimed to reduce the flow of drugs by supporting government anti-drug efforts in Colombia, Bolivia and Peru, the dominant Latin American cocoa growers. The third prong involved federal support for state drug interdiction and eradication efforts aimed at domestic suppliers.

The Defense Department unveiled its plan for implementing the National Drug Control Strategy in March 1990. The plan divided responsibility for drug interdiction among six military commands, each of which supervised drug interdiction efforts in a different geographic region. Three commands had particularly important roles. The North American Aerospace Command (NORAD) was given the mission of deploying ground radar systems along the Gulf coast and southwest border to detect low-flying aircraft and controlling the E-3 AWACS aircraft used to identify potential air smugglers. U.S. Southern Command (SOUTHCOM) was responsible for supporting anti-drug efforts of Latin America countries (particularly Colombia, Bolivia and Peru) by providing training, equipment, operational assistance and technological and maintenance support. Forces Command (FORCECOM) was given the critical role of coordinating military anti-drug activities within the continental United States. FORCECOM provides federal, state and local enforcement agencies with equipment and training in areas such as photo reconnaissance, engineering support, detection and monitoring. It controls Joint Task Force 6 (JTF-6), the coordinating headquarters for counterdrug efforts along the southwest border of the United States. Finally, even though state national guard units are controlled by their governors, FORCECOM supports their drug interdiction and eradication efforts throughout the United States.

The three components of the National Drug Control Strategy—interdiction on the border, reducing supply within the Andean nations and interdiction and eradication of domestic supply—
were viewed as interdependent fronts where DOD would wage the war on drugs. With that in mind, let us now turn to the specifics of U.S. military involvement in each.

**Interdiction**

Interdiction is the cornerstone of the drug war strategy. By reducing the flow of illegal drugs across U.S. borders, the Bush administration hoped to increase street prices and mitigate domestic demand over time. Senior military officials were initially reluctant to take the lead in interdiction, pointing to the size and potential costs of comprehensive interdiction efforts. A 1988 Department of Defense study estimated that 90 infantry battalions, 50 aerostat surveillance balloons, 1000 fighter planes, 160 cruisers and unspecified billions in additional funding would be needed to seal U.S. borders.5

Critics also pointed to a 1988 study by Rand Corporation economist Peter Reuter which projected that interdiction efforts that decreased drug smuggling by 50 percent would only raise the "street price" of cocaine by 4 percent. Reuter argued that cocaine and heroin are particularly difficult to interdict due to their high value per unit of weight. Even if interdiction efforts reduced the amount of drugs entering the United States on airplanes, cars and boats, smugglers would find alternative means of moving their wares across borders, including a variety of legitimate commercial channels. In 1988, for example, the U.S. customs service only inspected 3 percent of the 7.5 million authorized cargo containers entering the country (Mabry 1988, 68). Reuter concluded that even if interdiction efforts increased markedly, there was little hope of significantly reducing the flow of drugs. He aptly described the dilemma in his 1989 testimony before Congress: "The only thing interdiction can do is raise the price. It can't... affect the amount entering the country. There is too much leaf capacity and too much production capacity. There are too many experienced and adaptive travelers." (The Pentagon's War on Drugs 1992, 2)

Despite these pessimistic predictions, public support and Congressional backing for military participation in the war on drugs (and drug interdiction in particular) had increased by 1990. As the Soviet threat receded, support among senior military officers for military involvement increased. Latin American specialist Donald Mabry also suggests that support for drug interdiction may have been reinforced by the subconscious desire of the U.S. public to
blame non-Americans for the U.S. drug dilemma, thus preserving the myth that good Americans were being corrupted by evil foreigners (Mabry 1990, 31).

By mid-1990 DOD had committed considerable air, ground and maritime resources to its new mission. Three Joint Task Forces were established to oversee the efforts of the various services as well as federal, states and local authorities. Joint Task Force Four handled air and sea interdiction in the Caribbean, Joint Task Force Five had similar responsibilities in the Pacific and Joint Task Force Six was assigned the onerous responsibility of detecting and monitoring drug traffic along the southwest border. NORAD provided air surveillance support to all three task forces, significantly expanding previously intermittent coverage of key Caribbean and East Pacific cocaine smuggling zones, which had been limited by the resources available to civilian law enforcement agencies (GAO/T-NSIAD-94-14 1993).

Joint Task Force Six (JTF-6), though primarily a ground interdiction effort, illustrates the coordination and support activities carried out in the joint task forces. JTF-6 is composed of personnel from the Border Patrol, the Customs Service, the Drug Enforcement Agency (DEA) and all four services. Collectively they support a wide range of interdiction efforts along the southwest border. Civilian agencies must request military support from the task force headquarters, generally in the form of reconnaissance or "terrain denial" operations in support of border interdiction efforts, intelligence analysis and logistical support. The most common (and most contentious) missions are reconnaissance and terrain denial operations carried out by active duty army and marine units along likely trafficking routes.

When JTF-6 requests forces, DOD typically draws upon battalion-sized active duty, reserve, and national guard units stationed throughout the United States. These units are deployed to federal and state military facilities along the U.S. southwest border to assist DEA interdiction efforts. For reconnaissance missions, military units accompanied by DEA agents, are placed along likely trafficking routes to gather intelligence on drug trafficking patterns. Terrain denial missions involve company and battalion-sized elements, which flood a suspected area to disrupt drug trafficking patterns and identify domestic marijuana growth sites on federal lands.
In addition to reconnaissance and terrain denial, JTF-6 supports other aspects of the interdiction effort. Military intelligence units set up, monitor and maintain remote sensors along the border in addition to training and assisting law enforcement officials in intelligence analysis and Spanish translation. JTF-6 also assigns military units to provide ground and air transportation for federal agencies and supplies military engineers to build combat roads and fences along the border. JTF-6 received and filled 550 federal agency requests for military support for its interdiction efforts in 1991 alone (Brown 1991–92, 56).

The Andean Initiative

The second pillar of President Bush’s National Drug Control Strategy is the Andean Initiative, a five-year, $2.2 billion effort to augment military and economic anti-narcotics programs in Peru, Bolivia and Colombia (Constable 1990, 1). The stated objectives of the Andean strategy were: (1) to strengthen the political commitment and institutional capability of the Andean governments to disrupt drug-trafficking; (2) to increase the effectiveness of indigenous anti-drug efforts; (3) to inflict significant damage on trafficking organizations; and (4) to strengthen and diversify their legitimate economies. The Andean Initiative envisions a comprehensive effort to disrupt all aspects of the drug pipeline by destroying raw materials and chemicals needed to produce cocaine, seizing and destroying assets such as labs, airplanes and storage facilities, and arresting and prosecuting senior members of the drug cartels (GAO/NSIAD-158 1993, 13).

In reality, the Andean Initiative is merely an extension of regional drug interdiction efforts begun in 1985, when President Reagan authorized State Department funding for cocoa eradication programs in Latin America and military training for indigenous anti-drug forces in Bolivia. Operation Blast Furnace, a 1986 operation by Bolivian antinarcotics forces with 160 U.S. military advisors and American air support, highlights the difficulties that plague current Andean counterdrug efforts. Blast Furnace was designed to eradicate cocoa production in the mountainous Chapare region of Bolivia by gathering intelligence on possible smugglers and cocoa processing facilities (Mabry 1988, 5), closing trafficking routes and communication channels and raiding suspected smuggling and processing facilities to apply pressure to drug traffickers (Mendel
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1992). Although Blast Furnace was accompanied by a well-endowed government crop substitution program and numerous U.S.-funded construction projects, it met almost universal opposition from the local population. Leaflets circulated through villages with the slogan, “Cocoa or Death—We Will Win.” The presence of American soldiers led to calls by radicals for a revolutionary struggle to expel U.S. imperialist forces (Mendel 1992, 79). Local opposition to Blast Furnace raises questions of whether U.S. antidrug efforts undermine democratization and economic development.

The dangers of local opposition and concerns about the “advisory” nature of the U.S. role made the military reluctant to commit forces to the Andean strategy. Bush’s strategy stipulated that the U.S. military would provide training, equipment, and intelligence to assist local police and military forces, who would do the dirty work of tracking down and breaking up drug cartels. Senior officers drew parallels with Vietnam, where an initial advisory role gave way to combat missions, and worried that antidrug operations might lead to deeper U.S. involvement in counterinsurgency operations. They feared that “Americans accompanying indigenous forces trying to cut off cocaine production . . . in remote and heavily forested regions would find themselves among people as hostile as ever existed in Vietcong-controlled regions of Vietnam.” (Trainor 1989, 12) The military’s view of the drug war in Latin America changed dramatically with the end of the Cold War. SOUTHCOM Commander General Maxwell Thurman gloated in a June 1990 interview that the breakup of the Soviet Union had left his colleagues in Europe with little to do but “dance with themselves.” Like it or not, “the Latin American drug war,” he declared, “is the only war we’ve got.” (Jehl 1993, 1) The war on drugs also served as justification for maintaining the low-intensity conflict capability developed to thwart Soviet aggression in the developing world (Carpenter and Rouse, 1990).

While the U.S. military warmed to the idea of waging a war against drugs, Andean governments remained skeptical of the Bush administration’s insistence on providing military aid directly to Latin American militaries, who had a notorious record of human rights abuses, repression and coups. U.S. officials insisted the Andean Initiative would provide aid only to nations which requested it, but employed a variety of coercive measures to
encourage Andean requests. Section 490 of the Foreign Assistance Act of 1961 requires the President to certify that major drug-producing countries are cooperating fully with the United States or taking comprehensive steps to stop the flow of illicit drugs before they are eligible for foreign aid (GAO/NSIAD-158 1993, 13). Anti-drug legislation passed in 1986 makes approval for U.S. economic and military assistance, the granting or continuation of most-favored nation status, and U.S. support for World Bank loans contingent on "certified cooperation" with the United States in drug eradication efforts (Carpenter and Rouse, 1990).

The Bush Administration's not-so-subtle coercion of the Andean nations to gain their support for the U.S.-led drug war provoked a political backlash in a region where sensitivity to American meddling is far keener than the desire to eliminate cocaine (Constable 1990, 1). Colombian Defense Minister Oscar Botero stated in September 1989 that his country did not need "foreign troops to solve its domestic problems," but eventually accepted U.S. military advisors and $65 million in military aid in the form of subsonic jets, helicopters and assault boats instead of the $19 million worth of security systems for justice officials originally requested. President Fujimori of Peru initially refused to accept a U.S. military aid package and threatened in January 1990 to suspend anti-drug cooperation unless American forces were withdrawn from Panama. After a visit by Vice President Dan Quayle later in the year, however, both Peru and Bolivia accepted U.S. military assistance (Mabry 1990, 33).

The United States currently provides a variety of military support through the Andean Initiative, including upgrades for indigenous interdiction aircraft, funding for intelligence gathering equipment and specialized training for antinarcotics personnel in the United States (Jehl 1993, 1). SOUTHCOM deploys "tactical analysis teams" to assist antinarcotics forces in 10 Latin American countries. Special forces teams provide counterinsurgency training to military and police forces in Bolivia, Peru and Colombia, while Navy Seals offer similar instruction to forces in Ecuador, Colombia and Bolivia. In total, the Southern Command fields about 500 American soldiers in support of these latter two operations (Larmer 1992, 22). President Bush authorized these advisors to accompany indigenous forces on patrol in 1989, but emphasized that U.S. forces would not be used in a combat role.
However both *The Los Angeles Times* and *The Washington Post* have reported that special forces advisors accompany Bolivian, Colombian and Peruvian forces on combat patrols in high threat areas (Sanchez 1991, 139), and an army strategy paper leaked to the press in June 1990 acknowledged that military advisors were accompanying local counternarcotics forces on raids. While not definitive, these reports suggest that U.S. military advisors have been involved more heavily on the ground than the U.S. government has publicly admitted (Jehl 1993, 1).

**Domestic Interdiction and Eradication**

Though the Andean nations grudgingly accepted U.S. involvement in the region, they increasingly criticized U.S. tolerance of its own drug consumption and production (Rodriquez 1990, 7). This focused attention on the third prong of President Bush’s strategy—domestic interdiction and eradication. In 1990, “Drug Czar” William Bennett, Director of the Office of National Drug Policy dramatically expanded federal funding and support for eradication and interdiction efforts aimed primarily at domestic marijuana growth. Since then, numerous large-scale counternarcjuana operations have been initiated, mostly by state and local authorities, but also including joint operations conceived and supervised by DEA and the Bureau of Land Management (BLM). Several of the larger operations were Wipeout (DEA—Hawaii), Badge (U.S. Forest Service—Kentucky), Ghost Dancer (BLM—Oregon), Grizzly (U.S. Forest Service—California) and Green Sweep (BLM—California). These operations sought to reduce the domestic supply of drugs and to demonstrate the U.S. commitment to domestic counterdrug efforts (Mendel 1992, 80).

The national guard had been sporadically involved in fighting drugs since the early 1970s, when the Governor of Hawaii mobilized the state militia for large-scale marijuana eradication operations. However, the pronouncement of a national war on drugs led to an unprecedented expansion of the guard’s role, with dramatically increased resources and operations in all 50 states (Isikoff 1990, 3). In 1988, the National Guard Bureau established a national office to coordinate drug enforcement operations, but expanding counterdrug efforts received little publicity. States submitted proposals for counterdrug activities, requesting federal funding for detection and monitoring, aerial surveillance, long-
range reconnaissance, equipment and training of law enforcement officials. They have generally received most of the funding requested, and the guard's annual budget for counterdrug operations has risen from $40 million in fiscal year 1989 to $154 million in fiscal year 1993 (The Pentagon's War on Drugs 1992, 5).

Even with additional funding, domestic interdiction and eradication have proven to be difficult undertakings. Growers have thwarted enforcement efforts by setting up indoor greenhouses and moving operations into federal forests, national parks and other isolated areas. Operation Green Sweep, a BLM eradication effort supported by the California National Guard and the 7th Light Infantry Division, illustrates a typical operation. Between July 29 and August 9, 1990, a joint task force consisting of 60 drug law enforcement agents, 110 national guard personnel and 60 regular army personnel descended on Northern California's "Emerald Triangle," a renowned marijuana growing area in residential Humboldt County. The objectives were to arrest and prosecute growers and traffickers, eradicate marijuana crops and restore cultivation sites to their original condition. Federal law enforcement officials accompanied five-person eradication and surveillance teams which systematically worked their way through approximately 65,000 acres of public and private lands. Active duty soldiers provided "indirect" surveillance support as well as aircraft for transportation and evacuation.

Operation Green Sweep made relatively small gains, largely due to the sophistication of Humboldt County marijuana growers, who employed a well-organized human intelligence network to monitor the activities of reconnaissance elements, planted crops inside seasonal fog banks in difficult terrain and relied on booby traps and poison to discourage animals and people from tampering with their crops. In total, federal officials eradicated 400 marijuana plants at 28 growing sites and confiscated 12 tons of growing equipment. While acknowledging that the operation had yielded meager results, government officials proclaimed a victory, stating that operations like Green Sweep were necessary to establish credibility with Latin American governments and to wrest control of federal lands from marijuana growers (Stein 1990, 3).

**Benefits: Stanching the Flow?**

In retrospect, the Pentagon's initial misgivings about its ability to reduce the flow of drugs significantly appear well-founded. The
Defense Intelligence Agency issued a report at the end of 1991 stating that despite nearly quadrupling the spending for U.S. antidrug efforts, there had been no appreciable decline in Latin American cocaine production or in the amount entering the United States (Jehl and Ostrow 1993, 1). In 1993 a GAO report concluded that although the drug war had contributed to gains in cocaine seizures, overall cocaine production had increased and the flow to the United States had not appreciably declined (GAO/NSIAD-220 1993). Over the last five years domestic marijuana production has doubled, becoming an estimated $20 billion-a-year industry (Isikoff 1990, 1). Stopping the scourge of drugs on America’s streets was the stated objective of Bush’s war on drugs. By this standard, the United States has lost the war.

One reason the military’s involvement in the drug war has failed to yield the anticipated results is that U.S. warships, airplanes and soldiers can detect drug trafficking, but enforcement ultimately depends on law enforcement officials in both Latin America and the United States (Record 1990, 3). The majority of U.S. military assistance has been dedicated to surveillance—identifying smugglers, growing areas and trafficking routes. The increased surveillance capabilities have consistently exceeded the ability of U.S. law enforcement officials to apprehend smugglers. In 1990, the military detected and classified 6,729 aircraft as potential smugglers, but law enforcement agencies successfully intercepted only 49 planes out of 661 attempts (Morrison 1992, 270). In Latin America, effective interdiction is hampered by rampant corruption within both the government and the military, the expansion of the drug cartels into heroin and increasing insurgency and narcoterrorism. The escape of Medellin drug lord Pablo Escobar from a Colombian prison in 1992 is a cogent reminder that even if U.S. surveillance helps Latin American authorities to uncover the Andean drug trafficking network, success ultimately depends on their ability to bring drug smugglers to justice (GAO/NSIAD-158 1993). The U.S. military cannot fill the enforcement gap because it is legally restricted from taking part in direct law enforcement within the United States by the Posse Comitatus Act of 1848 and because the Bush administration adamantly insisted that U.S. military advisors in Latin America would not play a direct role in the apprehension of drug traffickers.

A second reason for disappointing results is the difficulty in measuring the success of military interdiction efforts (Record 1990,
3). Theoretically, changes in the street price of cocaine should provide a rough measure of the extent to which interdiction efforts limit supply and raise smugglers' costs, but in practice the markup on cocaine is so great that smugglers can cover staggering losses with just a few shipments. A 1988 Rand study concluded that only 10 percent of cocaine's final price is attributable to production and smuggling costs; most of the markup occurs after drugs cross the U.S. border. The price of enough cocoa leaf to produce one kilogram of cocaine in Peru or Colombia is between $65 and $370. The finished product sells for $70,000 to $300,000 a kilogram after entering the United States and being diluted, and these prices have remained relatively constant over the past five years (GAO/T-NSIAD-94-14 1993, 4). Thus, interdiction efforts have failed to deter traffickers because of the magnitude of the potential profits.

Measuring the number of drug arrests and seizures appears to show more promising results. With military assistance, the Customs Service, Coast Guard and Border Patrol made 17,600 arrests and seized 229,600 pounds of cocaine in 1991. Critics deride these figures as a small reward for the federal funds expended and claim the relatively small number of border arrests and seizures are merely the tip of the iceberg. Many states have claimed increased success in domestic eradication and interdiction programs due to increased funding. Missouri officials see their $45 million campaign that destroyed a record 2,035,300 marijuana plants in 1990 as extremely successful, but critics claim that most of the marijuana destroyed was low potency "ditch weed" that has been growing wild in the countryside for more than a century and note that Missouri remains one of the top five marijuana producing and exporting states in the country. As mentioned earlier, U.S. marijuana production has doubled in the last five years (Isikoff 1990, 3). While seizures and arrests indicate that the war on drugs has had an impact on traffickers, it is also apparent that military involvement has had no appreciable effect on the supply of drugs.

Finally, the drug war has confirmed what a review of previous interdiction campaigns would have predicted: even with the help of the most sophisticated military in the world there is little hope of shutting off the flow of drugs like a spigot (Record 1990, 3). Interdiction efforts are inherently difficult and perhaps impossible undertakings. The U.S. military was never able to close the primitive Ho Chi Minh Trail in Vietnam and recent efforts to
enforce a UN embargo of Iraq have been equally unsuccessful. A House Armed Services Committee report concluded in 1991 that although "the military's involvement in the drug war is having no appreciable effect on the supply of drugs, it is clearly making it more difficult for smugglers to get their product into the country." The report went on to say "that perhaps that in itself is a worthwhile goal." (Morrison 1992, 268) Even if one accepts this reasoning, one can question the extent to which interdiction efforts have made life more difficult for drug traffickers. DOD efforts have significantly reduced airborne shipments of drugs; "Miami Vice" images of illegal drugs arriving in the United States via fast boats or planes are long outdated. However, while interdiction efforts force smugglers to change their tactics, the disruptions are only temporary, and drug trafficking operations soon resume operations (GAO/NSIAD-158 1993). Ironically, military interdiction efforts often give smugglers an incentive to shift to less detectable commercial channels to transport illegal drugs across U.S. borders (Perl 1993, 4).

Costs
While the benefits of involving the military in the war on drugs have been minimal, there have been significant costs in terms of direct and indirect expenditures, dangerous legal precedents, political consequences in the United States and Latin America and reduced combat readiness of units involved in the drug war. I consider each of these costs in more detail below.

Economic Costs
American taxpayers have not gotten their money's worth from the war on drugs. By fiscal year 1993, DOD's drug-related budget had grown from $300 million in 1989 to well over $1 billion (Treaster 1993, 12) and national guard counterdrug budgets had quadrupled to $154 million (The Pentagon's War on Drugs 1992, 5). Since 1989, DOD has spent $976 million for aircraft flying hours, ship steaming days and ground-training days dedicated to the counterdrug effort. Even though funding has increased by 300 percent since 1989, DOD has failed to establish quantifiable goals or means for measuring the effectiveness of its anti-drug missions. The GAO concluded in a recent report that Congress has been denied the information needed to evaluate alternatives and that
DOD budget requests have been highly subjective (GAO-NSIAD-220 1993, 2). The Commander of Joint Task Force Five (JTF-5) testified before Congress in 1992 that the annual cost of his task force's interdiction efforts was equivalent to what would be "expended over a year in a Sixth Fleet deployment to the Mediterranean." (The Pentagon's War on Drugs 1992, 5)

Despite the increases in funding, critics have noted numerous failings of military antidrug programs. A series of six State Department, Pentagon and Congressional Reports in 1991 and 1992 documented serious organizational failings in U.S. military and paramilitary antidrug programs. The reports cited mismanagement, policy confusion and faulty intelligence as problems (Larmer 1992, 18). A 1991 DOD Inspector General report recommended disbanding Joint Task Force Five because it cost too much and duplicated other efforts, but JTF-5 continues to operate today. Joint Task Force Six, which regularly transports active, reserve and national guard battalions from bases as distant as Hawaii via commercial air, is also vulnerable to charges of high costs.

The Pentagon may also have used the drug war to justify new weapons systems. A over-the-horizon, backscatter radar was voted down twice by Congress during the Cold War, but resurfaced in the 1990 DOD budget request as a radar "for spotting and tracking airplanes smuggling drugs from Latin America," even though drug smugglers were thought to be switching from private aircraft to containers carried on commercial ships or aircraft. Subtle inefficiencies also take place in units assigned to temporary duty with the joint task forces. One junior officer recalls, "when we found out that we were going to be deployed to JTF-6, the Battalion Commander instructed us to order a long list of top quality civilian equipment. We didn't necessarily need it for the drug interdiction mission, but the Commander knew that it was the only way that the requests would be approved."

**Dangerous Legal Precedents**

The drug war has also established dangerous legal precedents by involving the military more directly in domestic law enforcement. The U.S. Congress passed the Posse Comitatus Act in 1878, prohibiting active duty military or reserves from performing law enforcement functions of search, seizure or arrest, except when called on by the President to enforce law and order in times of national emergency (Brown 1991–92, 57). After federal troops
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were used to put down an Indian uprising at Wounded Knee, South Dakota in 1973, the Supreme Court ruled in United States vs. Red Feather that military involvement in domestic law enforcement was legal under Posse Comitatus as long as it was “passive and indirect”. Active duty and reserve military forces are permitted to support civil authorities, but are forbidden from participating in search, seizure, and arrest activities. The Reagan administration adopted this distinction in 1981 to justify “indirect” military support for antitragic efforts. Congress expanded the military’s role in the drug war in 1988, but maintained the military would continue to play an “indirect” role (Sanchez 1991, 117–123).

Despite the legal distinction between direct and indirect involvement, there are reasons to question whether military involvement in law enforcement has been as indirect and passive as government officials suggest. Experience has shown that the distinction between direct and indirect involvement is likely to become blurred in the course of interdiction and eradication operations. There are reports that DEA agents have occasionally relied on “direct” military support when making an arrest during interdiction operations on the southwest border, with soldiers playing an active role in the apprehension of drug traffickers. Military personnel are given strict instructions not to fire their weapons unless fired upon, but report that once on patrol there is clearly an underlying “wild west” mentality in which anything goes.11 One active duty field grade officer claimed to speak for many when he wrote in a 1990 article in Military Review, “What rights does a drug sleaze have when he’s on the wrong end of a 50-caliber?” (Hertling 1990, 18) Attitudes like that make it difficult to argue that 18 and 19 year old recruits inadequately trained in law enforcement can exercise the principles of due process. Some have argued that soldiers may not be suited in training or temperament for even indirect involvement in law enforcement. A U.S. District Court Judge provided support for this assertion when he found that national guard and active duty soldiers involved in Operation Green Sweep deliberately employed search and seizure methods that exceeded the boundaries of constitutionally valid military involvement in law enforcement (Morrison 1992, 269).

There are also concerns about potential violations of civil liberties through the gathering of military intelligence. Many fear that intelligence gathering, a large part of the military’s role in the
antidrug effort, may include the collection of data on U.S. citizens suspected of drug trafficking at home or abroad. While no evidence of such activities has surfaced, the scenario recalls disturbing images of the intelligence files maintained by the military services on Vietnam protesters during the late 1960s and early 1970s. In addition, there are important questions about the admissibility of evidence collected through military means and concerns about whether revealing the source of the intelligence would endanger national security. The American Civil Liberties Union and others have expressed serious misgivings about the legality of military intelligence support for the war on drugs (Mabry 1988, 62).

**Political Costs**

There have also been negative domestic and international political consequences to militarizing the drug war. On the domestic front, many fear that the cumulative effects of military involvement in law enforcement might in time pose a threat to civilian authority and risk upsetting the tenuous balance in civil-military relations. General Stephen Olmstead warned a Senate subcommittee in 1987, “One of [America’s] greatest strengths is that the military is responsive to civilian authority and that we do not let the Army, Navy, Marines and the Air Force be a police force. History is replete with countries that allowed that to happen. Disaster is the result.” (Carpenter and Rouse 1990, 9) Critics differ on the potential dangers of militarizing the drug war, but there is evidence that military involvement in domestic interdiction and eradication efforts has already provoked a significant political backlash. Despite growing public concern about the drug problem and support for strong steps to curtail it, military involvement in domestic eradication efforts has inspired protests around the country. A 1992 *Miami Herald* editorial wrote that eradication efforts “invoke disturbing images of countries under siege by their own armed forces. Blackhawk helicopters and camouflaged national guard and army troops should never again be deployed in the domestic drug war.” (About Face 1992, 10)

The international political backlash from the Andean Initiative is already evident, but may ultimately be disastrous for Latin America. U.S. military assistance strengthens Latin American militaries and risks upsetting the tenuous balance in civil-military relations there as well. Giving Andean militaries antinarcotics
missions more appropriate for civilian police strengthens the military position vis-à-vis the civilian government and risks tipping the balance back towards authoritarian military governments (Goodman and Mendelson 1988, 12). Involving Latin American militaries in the drug war also undercuts government antinarcotics efforts. Colombia’s Attorney General asserts that drug barons have escaped because “they have informants in the army who forewarn them about operations to capture them.” (Drug Wars: Colombia 1990, 6) U.S. military trainers also suspect that training efforts may benefit the drug cartels more than it hurts them. In Bolivia 85 percent of troops are conscripts on one-year hitches, many of whom may well be hired by the cartels when they depart the military. Likewise, there have been reports that the Peruvian army is so corrupt that traffickers simply pay an average of $5,000 per flight to take off from public airstrips in the jungle. One U.S. advisor concluded, “With few exceptions, all we’re doing is training the bad guys.” (Larmer 1992, 22)

Militarization of counterdrug efforts has also strengthened guerrilla movements, threatening the governmental stability necessary for the drug war’s success. Radical leftist groups have used the U.S. presence as a focal point to rally public support and discredit existing regimes. The Fuerzas Revolucionarias Colombianos (FARC) and the April Movement (M-19) in Colombia and the Maoist Shining Path in Peru have benefited from the presence of U.S. troops on their soil (Carpenter and Rouse 1990, 13). Political backlash against American initiatives has also strengthened nationalist movements in all three countries and benefited the cartels. Foreign troops are universally resisted by growers, dealers and guerrillas; conservative drug traffickers have been able to form ad hoc alliances with guerrilla movements with the goal of expelling American advisors (Mabry 1990, 37).

**Effects on Combat Readiness**

Even those who favor military involvement in the drug war and other non-traditional missions agree that the primary focus of the armed forces should be engaging in, or preparing for, combat. The effects of the drug war on combat readiness are difficult to gauge, but may be reflected in their impact on military professionalism and preparedness.

Organizational theorists view military professionalism as one of the military’s greatest strengths. Military professionalism refers not
only to a unifying commitment to duty, honor and country, but also to the patterned way in which the military addresses its central task of warfighting. These characteristics allow the chain of command to be confident that subordinates will act consistently in combat situations and ensures that there are few distortions in the flow of information because both the sender and recipient of the message share common understandings (Wilson 1989, 109). If the U.S. military’s involvement in the drug war or other non-traditional missions dilutes its professionalism, this is likely to lower combat readiness. Colonel (ret.) Harry Summers warned in 1991 that catastrophe results when militaries lose sight of their purpose. Citing a study on pre-World War II Canadian military policy, he observed:

instead of using the peacetime interregnum to hone their military skills, senior military officers sought out civilian missions to justify their existence. When war came they were woefully unprepared. Instead of protecting their soldier’s lives they led them to their deaths. In today’s post-Cold War peacetime U.S. Army this trap looms large... Some today within the military are also searching for relevance, with draft doctrinal manuals giving touchy-feely prewar and postwar civil operations equal weight with warfighting. This is an insidious mistake (Dunlap 1992–93, 13).

In 1989 senior officers worried that involving the military in a war on drugs might erode military professionalism because of the corrupting influence of drug money or by lowering morale. Now a more pressing question is how the military will be affected by serving as the leading proponent in a war that clearly has been lost. In the wake of the victory in the Persian Gulf, there appears to be little danger of the U.S. military falling prey to low morale, but failures in future intractable non-traditional endeavors, coupled with budgetary cutbacks, may inculcate a sense of defeatism which compromises professionalism within the armed forces. A second concern is that the vast sums of money which accompany the drug trade may lead to corruption within the military. A Coast Guard drug smuggling ring uncovered in the Florida Keys in 1990 is evidence that soldiers, sailors and airmen are just as susceptible to bribery as anyone else. Corruption could have a devastating effect on the morale and professionalism of the armed forces.

A final issue is the effect of the drug war on military preparedness. Does the drug war significantly reduce the warfighting
capabilities of the military personnel and equipment involved? The answer depends primarily on the specific tasks military forces perform. There is little doubt that the drug war has broadened the scope of U.S. military training and strategic thinking. For example, the Army categorizes its efforts in Latin America as a low-intensity conflict, a term historically applied to actual combat situations against Marxist guerrilla armies. Some active duty units now focus their training on a wider range of tasks related directly to the drug war and differing significantly from their traditional combat missions. Tracking small single engine planes over the Gulf of Mexico, for example, does not have the same training value for AWACS crews as tracking NATO fighters during joint training exercises in the North Sea. However, surveillance and movement through mountainous terrain on the southwest border provides excellent preparation for a light infantry company’s wartime mission. Unfortunately, most of the military resources committed to the drug war have been employed in the former kinds of activities, rather than the latter. A recent GAO report concludes that the flying hours, steaming hours and ground training hours committed to the drug war have consistently failed to provide the types of training needed to maintain readiness for warfighting. Moreover, drug war responsibilities have tied up valuable resources and increased the burden on equipment and personnel (GAO/NSIAD-220 1993).

**CRITERIA FOR CONSIDERING NON-TRADITIONAL ROLES**

The preceding discussion has shown that the costs of military participation in the war on drugs have been significant, while the benefits have been relatively small. Policymakers in Washington appear to be reaching this conclusion and now view the Bush administration’s decision to commit the military to the war on drugs as a serious mistake. In January 1992, DOD rejected a White House plan calling for even greater military leadership in the drug war. This reluctance may reflect the Pentagon’s wariness of becoming too closely identified with what it now sees as a potentially intractable problem (Jehl and Ostrow 1993, 1). In response to Congressional concerns, the Bush administration’s 1993 budget proposal called for a $51 million decline in DOD’s antidrug budget (Matthews 1993, 22). The most convincing sign of
reevaluation is the possible shifts towards a demand-based antidrug strategy now being considered by the Clinton administration (Perl 1993, 1).

This essay has argued that the decision to commit substantial military resources to the war on drugs was misguided. The shortcomings in the National Drug Control Strategy should have been evident to policymakers in 1989. There was ample reason then to believe that benefits of massive military interdiction efforts were likely to be small and that economic, military and political costs (particularly in Latin America) were likely to be high. With the unfortunate consequences of the war on drugs in mind, the question of how to avoid similar policy failures in the future arises. I propose the following five conditions which policymakers should seek to satisfy before committing the military to non-traditional missions.

(1) There must be a clearly defined set of objectives and a reasonable expectation that military involvement will help to achieve them. This condition was not satisfied in the drug war. Policymakers sought to reduce the supply of drugs significantly, but deliberately failed to establish quantifiable objectives for the various components of the National Drug Control Strategy. Moreover, there was clear evidence in 1989 that even a massive military interdiction effort would have only a minimal effect on the supply of drugs.

(2) Military involvement must not exceed the limitations of the Posse Comitatus Act, except in cases of national crisis or emergency. This essay has argued that the military's involvement in the war on drugs has exceeded the "indirect participation" authorized by Posse Comitatus. The President may enforce the law using federal troops in a state of national emergency, but military involvement in law enforcement operations is inherently dangerous and should be undertaken only under the most dire circumstances.

(3) There must be a long-term public and congressional commitment at home (and in some cases abroad) for successfully achieving the mission's objectives. Although public and congressional support for military involvement in non-traditional missions continues to grow, there was an ardent public outcry against the military's role in domestic drug interdiction and eradication efforts. This illustrates the importance of clearly presenting the pros and cons of military participation in non-traditional roles for public debate. Policymakers must also remain wary of the possibility
that military involvement in non-traditional missions may gradually upset the tenuous balance in civil-military relations. The war on drugs also demonstrates that some non-traditional missions will require public support abroad as well as at home. The Andean initiative has failed to reap the desired benefits because it has been universally opposed by all sectors of Latin American society except for the military.

(4) **The benefits of military involvement should be commensurate with the costs, and it should be evident that other government agencies or outside organizations cannot carry out the responsibilities less expensively or more effectively.** While it was clear in 1989 that the Department of Defense was the only agency with any hope of carrying out a full-scale interdiction campaign, it was also apparent that the excessive monetary costs were unlikely to lead to corresponding reductions in the supply of illegal drugs.

(5) **Participation in non-traditional missions must not severely impair the combat readiness of the U.S. military.** Although this condition is admittedly subjective, it is important to consider each non-traditional mission on the basis of its effect on the warfighting capabilities of the armed forces. Those missions which require the military to perform duties most similar to its warfighting mission will probably be the least detrimental, while the converse is also likely to be true.

There can never be a definitive set of guidelines appropriate for every case for determining whether the military should participate in non-traditional missions. If these five conditions are satisfied, however, the likelihood that the armed forces will be successful in future non-traditional roles improves significantly. The conditions also increase the probability that the benefits of military involvement will outweigh the costs, avoiding policy failures like the war on drugs. There is growing public and Congressional support for increasing military involvement in non-traditional roles. When considering the possibility of committing the military to these missions, policymakers must be brutally honest with themselves and frankly assess whether these five conditions are satisfied. Their decisions will ultimately be subjective, but the criteria outlined above provide a meaningful starting point for serious and productive debate.
Huntington argues that these missions are not really non-traditional roles, but rather are non-combat roles. For the purpose of this discussion, non-traditional, non-combat, and civilian roles or uses will be used interchangeably.


In some respects military involvement in non-combat roles is a well-established precedent. Throughout US history, the armed forces have been employed in a number of non-combat roles, ranging from building settlements, bridges and waterways in the American West in the late 1800s to providing humanitarian assistance to Panama, Haiti, Nicaragua, and Cuba, during the 1930s.

For more details on the drug-related responsibilities of the various commands see DOD News Release, Office of the Assistant Secretary of Defense for Public Affairs, March, 9 1990.

At the time of this study, DOD was very reluctant to play an expanded role, therefore, one might reasonably expect these estimates to be exaggerated. However, when one considers that there are 2,000 miles of unpatrolled border in the American southwest, 290 million annual border crossings, 30 million air passengers on 500,000 commercial flights, 7.5 million arriving cargo containers, and 89 million crossings of land vehicles, it is evident that costs of sealing the border would be extraordinary (Mabry 1988, 59).

A battalion-sized task force usually comprises between 500 and 750 soldiers. It is in most cases a self-sustaining unit complete with internal maintenance, dining facilities, and a medical section.

A 1973 Supreme Court decision, *The United States vs. Red Feather*, stipulates that active duty and reserve military personnel are permitted to provide “indirect” support to law enforcement efforts. This distinction will be addressed in greater detail in subsequent sections.

It is more difficult to calculate the costs of state-sponsored national guard eradication efforts, although they too are significant. In 1990 alone, national guard units were participating in eradication efforts in all 50 states with 553,000 manhours expended (Morrison 1992, 269). In Humboldt County, for example, the California guard reported spending $400,000 on Operation Green Sweep, but said that it would have spent about the same amount on the annual training exercises which the eradication effort replaced (Bishop 1990, 10).


Interview with a Reconnaissance Platoon Leader in the 25th Infantry Division, Schofield Barracks, HI. His unit deployed to support JTF-6 operations along the Mexican border in September, 1993.
A Perilous Precedent: The U.S. Military and the War on Drugs

11 Ibid.
12 Operation Green Sweep probably inspired the greatest public outcry. The Humboldt County Citizen’s Oversight Group (COG) organized protests against the operation. Local and national press coverage was unfavorable, calling the effort an overkill and a media blitz for Bush’s war on drugs. Responding to calls from the local radio station, hundreds of protesters located Green Sweep’s headquarters and disrupted activities on the first day of operation (Stein 1990, 3).
13 In August 1990, a Nightline expose uncovered a federal investigation of Coast Guard corruption in the Florida Keys. Fifteen Coast Guard personnel were investigated and four were eventually prosecuted and found guilty of passing sensitive information to Latin American smugglers as well as selling cocaine.
14 This is not an idle concern. The Mexican military, previously one of the least corrupt institutions in the nation, has been demoralized by drug related corruption, while Colombian, Peruvian, and Paraguayan military officers, among others, also are deeply involved in the drug trade (Mabry 1988, 62).

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Taking a step back from the near-sighted optimism that often surrounds Vietnam today, the present study considers some of the human elements that are associated with *Doi Moi*—Vietnamese-style economic transformation. The author focuses on the longstanding New Economic Zone (NEZ) policy, Vietnam’s program for population resettlement. He identifies some important impediments to economic growth and notes their connection to demographic and socio-economic issues. The author advocates a form of integrated development planning to address these difficulties and other problems of regional inequality, poor infrastructure, and low urban and rural Vietnamese standards of living.

The dominant economic wisdom within the Vietnamese politburo prior to 1986 was exemplified by Le Duan, the Communist Party’s most prominent ideologue. In 1973 he wrote:

To neglect planning work and make light of the law of planned economic development is to divorce one’s self from the essence of the socialist economy and to abolish the role of the State of the dictatorship of the proletariat as organizer and manager of the economy (Le Duan 1973, 132).

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Ready or Not? Doi Moi and the Legacy of the New Economic Zones

Le Duan died in 1986. With him died Vietnam's intransigent preoccupation with socialist economic purity as embodied in its Stalinist-style economic planning model. From the time of reunification in 1975 until the onset of economic “renovation,” or Doi Moi, in 1986, the Vietnamese economy was engineered within rigid ideological constructs consistent with the rhetoric cited above.

Since 1986, the Vietnamese economy has experienced rapid economic growth, and estimates for 1994 have put GDP growth at 8 percent (Voice of Vietnam 1993a; ADB 1993, 258). Emerging from this economic expansion are a number of social and demographic challenges which the Vietnamese state will have to address if growth is to continue at its present pace. In the late 1960s, state planners decided to focus on population resettlement, employing state-sponsored rural production collectives, or New Economic Zones (NEZs), as the primary means of correcting regional economic disparities and rectifying spatial population imbalances. This study undertakes three tasks: first, to examine and assess population resettlement programs generally and the legacy of the NEZs in particular; second, to highlight the need for Vietnamese planners to become less reliant on such policies; and third, to recommend the promotion of integrated approaches to both rural and urban development planning as an alternative to the present NEZ program within the context of Doi Moi.

A number of reasons make this an important stage at which to consider the implications of Doi Moi for population and human resource issues. First, Vietnam's NEZ program, especially the process of “deurbanization” in the late 1970s, has had a lasting effect on what is now Vietnam's embryonic private sector and has meant, to a great extent, that Vietnam must rely on foreign direct investment (FDI) rather than private domestic investment to fuel its economic reforms. Despite its dubious legacy, the NEZ program continues today in Vietnam, providing for relocation costs and food subsidies to participant families.

Second, the state can and must play a role in encouraging FDI to flow into rural areas and cities other than Hanoi and Ho Chi Minh City (Saigon). This can be accomplished by investing in infrastructure projects, and by ensuring the provision of basic social services, such as education and health care, in those areas that are unlikely to be readily amenable to FDI. The benefits of
economic growth must be equitably distributed in an effort to avoid the problems of urban squalor and rural unemployment that are so prevalent in other areas of Southeast Asia.

Finally, through a November 1993 meeting of international donors, Vietnam has been provided with approximately $1.86 billion in development assistance, much of which is earmarked for infrastructure projects. This is a substantial portion of the total investment estimate for 1994, which has been quoted at 41 trillion Dong, or $3.9 billion. Thus, international aid resources provide an excellent opportunity for the Vietnamese state to establish the basis for an integrated rural development scheme and allow for the physical linkage of city, town and village.

INTERNAL MIGRATION, URBAN GROWTH AND STATE PLANNING

Integrated planning, in the case of Vietnam, should be premised upon understanding and mitigating the effects of internal migration on the composition of the labor force, the provision of social services and levels of unemployment in both rural and urban areas. Furthermore, by encouraging cooperation and coordination among government departments as well as with non-governmental organizations (NGOs), integrated planning would recognize that decisions concerning population and population movements cannot be undertaken in a vacuum. Integration is defined here as:

- the explicit and direct consideration of socio-economic and demographic interrelationships in the design (and implementation)
- of policies, programmes and projects, with due regard to potential conflicts and complementary factors (Farooq and Pernia 1987, 12).

Economic development policies and the availability of human resources both affect and are affected by migratory movements.

Urban population growth is not solely dependent upon net migration. Rates of natural increase vary between rural and urban areas, as well as between new urban migrants and urban residents. Furthermore, planners reclassify areas as urban and rural depending upon established criteria, thus impacting on the relative distribution of population in addition to the overall rates of natural increase in rural and urban regions (Oberai 1987, 9). Hence, urbanization and the spatial expansion of cities must be recognized as complex processes. The present discussion will focus on the specific issue of state-sanctioned migration and its effects on
urbanization and socioeconomic development planning, leaving behind, for a moment, the issue of natural population increase.

Internal migration should be recognized by development planners as both a policy tool and a planning indicator. As a development tool, internal migration can be both induced and managed by state policies. Government policy choices can be characterized as being either direct or indirect. Direct policies include mobility restrictions and land resettlement programs. An example of the former is the rustication program in China during the Cultural Revolution whereby passes were required to enter urban areas or leave rural areas. The latter are often utilized in Southeast Asia “because they are politically more desirable, more expedient, and easier to carry out than other agrarian reform measures. At best they are palliatives.” (Oberai 1986, 158). The “palliative” nature of population resettlement programs will be examined further in the context of Vietnam’s post-reunification NEZ program.

Policies that indirectly influence migratory flows are implemented in order to discourage urban in-migration by either making life in rural areas more amenable or, conversely, by discriminating against rural migrants once they have settled in urban areas. In addition to enhancing the rural standard of living, rural development programs are often focused on reducing the process of urbanization. When they are fully integrated, rural development schemes include: a process of land reform, the provision of credit and infrastructure, the introduction of labor intensive agricultural production technologies and the establishment of non-agricultural rural employment. This last provision is required to manage the “second generation” problem which results, due to inheritance traditions, from the subdivision of land into uneconomic units (Oberai 1986, 238–239).

Finally, in addition to indirect and direct policy measures, it is important for development planners to recognize the influence of population factors (such as patterns of mortality, fertility and marriage, and the growth and structure of the labor force) within the urbanization process. Theoretically, a successful state development plan would take an integrated approach to population, human resource and economic development planning. The importance of recognizing the inter-connectedness of policy decisions underscores the holistic nature of the development process.
As was mentioned above, the urbanization process is complex; therefore, in order to properly assess the composition of an urban population and design appropriate social and economic policies, it is imperative that population indicators be examined.

The financial and bureaucratic impediments to such an integrated approach are enormous, and integrated planning, in most cases, "tends to be more illusory than real." (Oberai 1987, 19) Nevertheless, the ideal established by theorists should create an awareness at the planning level of the inter-relationship of piece-meal policies. The following section will examine how Vietnam's concern with ideological purity and reliance on the population resettlement "palliative" has and will continue to impact on the viability of its present economic reforms.

**VIETNAM'S TRADITION OF INTERNAL MIGRATION**

Population movements have played an integral role in the construction of the political boundaries and the demographic distribution of present-day Vietnam. The ethnically dominant Vietnamese originated in the Southern reaches of China and proceeded to colonize and settle the narrow section of mainland Southeast Asia that is bordered on the West and East by the Annamite Cordillera and the South China Sea, respectively. As population densities increased in the Red River Delta region, and peasants were forced to become pioneers in search of new farm-land, the traditional North-South migration pattern was established. In fact, the state has historically encouraged and, to a certain extent, managed this process of resettlement which in turn has facilitated the spread of Vietnamese culture and control.

Traditional village life and agricultural production patterns were greatly influenced by Confucian China. The Vietnamese Emperor maintained, as did his Chinese counterpart, title to all uncultivated land in the Empire. As population pressures increased, children were encouraged to migrate, in turn opening virgin territories and establishing new villages:

A new settlement received from the Emperor a charter naming a guardian spirit or spirits. Housed in the village _dinh_, or meeting house, the spirit represented the protection of the throne. Citizens were obligated in return to pay taxes, serve in the military, and perform _corvée_ labor (Adams and Hancock 1970, 91).

Under the French colonialists, the mutual obligation between the
state and the peasantry was discontinued. Large scale land expropriations resulted in the creation of a landless class, and, eventually, inhibited the traditional migratory patterns which were based on the abundance of unsettled lands (Ngo Vinh Long 1973, 5–41).

Rural-urban migration did not offer a solution to colonial land seizures, since, “[t]he urban structures were basically bipolar and dualistic: at one pole, the official city, royal or Mandarinal, at the other a teeming commercial one.” (Nguyen Duc Nhuân 1984, 77) Thus, migration to urban areas was not viable for rural producers unless they had been fortunate enough to have attained a position within the Mandarinate. Industry and commerce were not well enough established to absorb the landless; many peasants became tenant farmers and sharecroppers (Ngo Vinh Long 1973, 31).

During the mid-1960s the Communist government undertook a process of population resettlement throughout the Democratic Republic of Vietnam (DRV), foreshadowing the post-reunification population resettlement program. The first NEZs were created between 1961 and 1966 as a response to the increasing population pressures throughout the Red River Delta and the food shortages caused by the land reform errors during the 1950s (Jones and Richter 1982, 113). American bombing campaigns during 1965 and 1966 encouraged close to 500,000 people to evacuate urban centres and resettle, some permanently, in the NEZs. However, poor planning and recurring natural calamities ensured that substantial annual rice subsidies were required throughout the resettlement period (Jones and Richter 1982, 113–118).

**The Post-1975 Population Resettlement Program**

The goals of resettlement policies vary from country to country, but, in order to be successful, they must address the needs of both the migrants and the state. Land settlement schemes generally attempt to accomplish all or some of the following objectives: firstly, to provide land and income to the landless; secondly, to increase agricultural production; thirdly, to correct spatial imbalances in the distribution of population; and, fourthly, to exploit frontier lands for reasons of national security (Oberai 1981, 234). In the case of Vietnam these goals were officially expressed. The benefits of resettlement, however, accrued largely to the state in the name of the socialist transformation.
Under the auspices of the Second Five Year Plan (1976–1980) the framework for the Socialist Republic of Vietnam’s (SRV) population resettlement program was established. It was closely linked to the economic, social and political transition to socialism, in addition to being a function of more traditional factors. A primary objective of the population resettlement program was the establishment of some semblance of food self-sufficiency. As Jones and Richter contend, "the chronic food shortages of North Vietnam are not irrelevant to an understanding of the doggedness with which the North fought to gain control of South Vietnam." (1982, 114–115)

Following liberation, the South faced serious economic hardships due to the termination of American aid and the disequilibrium of rural and urban populations. Ironically, Southern Vietnam thus became a net importer of rice from Northern Vietnam during 1975 and 1976 (Thayer 1982, 14).

In order to alleviate this imbalance and to proceed towards the establishment of the Mekong Delta as the “rice bowl” of Vietnam, the process of bringing presently unexploited areas under cultivation and the creation of NEZs advanced parallel to the collectivization of Southern agriculture. Collective agriculture was an integral component of Vietnam’s Stalinist-style economic development program: an economic system which encourages the collectivization of agricultural production in order for the state to extract the surplus required to move forward with the development of heavy industry. Furthermore, the state felt that the establishment of collective production within the NEZs would facilitate state management of the zones (Beresford 1989, 105). State management was important to both the strategic and the ideological purposes of the NEZs.

The strategic goals of Vietnam’s population resettlement program were geographically centered around the central highlands and the Cambodian border region in the area northwest of Saigon. These areas had, to a large extent, been abandoned during the war. The objectives of these NEZs were threefold: first, the production of export crops; second, the cultural and economic assimilation of anti-communist, non-Vietnamese ethnic groups; and, third, the establishment of soldier-civilian settlements along the Cambodian border (Jones and Richter 1982, 121–122). The border fighting during 1977 and the eventual invasion of Cambodia in 1978 undermined the effectiveness of the NEZs, causing settlers to
illegally return to urban centres and discouraging any further resettlement to these unsafe areas (Thayer 1982, 28).

Complementing the strategic goals of the NEZs were the “moral” and “economic” imperatives that were the guiding principles of the state’s deurbanization policy (Forbes and Thrift 1987, 129). The process of deurbanization, which took place in and around Saigon, was partially necessitated by the fact that during the war with the United States the population and geographical size of Saigon had mushroomed. This was, in part, due to the economic opportunities provided by the influx of enormous amounts of American aid as well as the relative safety of the urban environment (Goodman and Franks 1975, 199–214; Forbes and Thrift, 1986).

The moral imperative was grounded in the class warfare stressed by Murray and Szelenyi in the first stage of their socialist urbanization model; this conflict is the process by which the state purges the society of the petit bourgeois class. Although the Saigon-inspired economic imperative was an important factor in the deurbanization policy, it was very much secondary to the moral imperative in terms of its effect on the availability of human resources and within the context of the greater policy objective: the socialist transformation of the South. As will be shown, the economic imperative—the need to transform Saigon from a consumer city into a producer city—was in fact hindered by the state’s purge of skilled managers.

In the South Vietnam of the 1970s, an offensive against the petit bourgeoisie necessarily meant an attack upon the overseas-Chinese community. According to some estimates the Chinese had monopolized not only the rice trade but the associated processing, distribution and credit sectors (Thayer 1982, 16). Furthermore, they controlled 50 percent of the retail trade and provided two thirds of annual investment capital by 1974 (Thayer 1982, 16). By 1978, the state had forced the bourgeois class into the NEZs or tacitly encouraged them to escape as refugees. The result was a severe shortage of competent state employees. “As capitalist trade and private ownership of agriculture was being abolished throughout the country the problem of a lack of trained managerial cadres was of major concern, and of huge proportions.” (Nyland 1981, 444)
INTEGRATED DEVELOPMENT PLANNING: 
DOI MOI AS A CATALYST

Under the banner of *Doi Moi*, Vietnam has been encouraging market forces since 1986 in an attempt to reform its economic system. It was at this point that the state began to abandon its strict adherence to the Stalinist model of economic development. Vietnam's transition toward a market economy presupposes a human resource base that is capable of adopting and administering new economic freedoms and incentives with a view to generating positive economic growth. Furthermore, it assumes that the country has the means to provide education and health care for the impending urban influx, as well as the physical infrastructure to successfully absorb the ever-increasing amounts of FDI.

By continuing to focus on population resettlement as the primary method of reallocating human capital and dealing with both rural and urban population pressures, Vietnam has neglected to address the high population growth rates in urban areas. These have been estimated at 4.2 percent, nearly twice as high as the general population growth rate (World Bank 1990, 332). High rates of natural increase can be linked to newly established rural migrants in urban areas, and, as such, will likely decline over time. However, the inability of the NEZs to sustain themselves, in addition to the natural tendency for the rural unemployed to seek employment opportunities in urban areas (an alternative which has likely been made more attractive due to the market reforms under *Doi Moi*), suggest that the level of rural-urban migration will make up for any decline in the birth rate. From a policy standpoint this means that unemployment is coupled with more dependent children in the short-term, resulting in a greater demand for basic social services (Pernia 1993, 6).

Vietnamese policy makers are aware of the linkage between population and human resource policies, but are also aware of the financial and administrative constraints which limit the range of policy options:

Because we don't have the capabilities to solve all the problems, the population policy should be used within a narrower scope and deal mainly with the birth, death, and migration processes. Later on, when conditions permit, we can implement a broader population policy that deals with social mobility...[and] changes concerning the
It seems, then, that the short-term policy goals will be limited to the traditional family planning programs that have established the target birth rate at 1.7 percent. Coupled with this is the continued emphasis on the NEZs as one of the essential means to alleviating population pressures, as statistics readily indicate. Since 1991, 68 new projects have been undertaken, accounting for the exploitation of 350,000 hectares of idle land, the migration of over one million people and a total expenditure of 97 billion Dong, or $9.2 million (FBIS 1993a, 75; UNDP 1990, 36). This shows a relatively low level of state investment in rural development, approximately $9 per participant, and the continued Vietnamese reliance on a "palliative" treatment for what must be considered a serious, yet non-fatal, "illness."

Efforts to implement Doi Moi will be further obstructed by issues concerning labor and unemployment. Pressures on urban housing, health care and education will continue as unskilled migrant laborers return from the former Soviet Union and Eastern Europe. In addition to the estimated 220,000 return migrants from Eastern Europe,7 Vietnam can expect a further influx of former refugees from countries of first asylum throughout Southeast Asia and especially Hong Kong.8 Military demobilization following the Vietnamese exit from Cambodia has placed a further strain on Vietnam's fragile economy and urban infrastructures, as will the burden of thousands of state workers who have found themselves unemployed as a result of privatization efforts (Ronnas 1992, 1).

The loss of much of the investment capital and entrepreneurial experience of the petit bourgeois class has impacted Vietnam's economic reforms to the extent that it has been forced to rely heavily on FDI to provide required investment capital.9 Judging from the results of the Japanese investment trends throughout the remainder of Southeast Asia, Vietnamese planners must be aware that regional and sectoral imbalances in economic development are often exacerbated by the concentration of FDI in one region or urban conglomerate. A study focusing on whether Japanese foreign investment becomes unduly centered in core urban areas concluded that Japanese FDI tends to mirror and accelerate the imbalances that have been established prior to the flow of foreign investment capital (Fuchs and Pernia 1987, 390).
Despite Vietnamese urban planners' best efforts to distribute growth to lesser cities such as Danang, the urban primacy exemplified by Hanoi and Ho Chi Minh City will likely become more stark as infrastructure projects are concentrated around these cities in an effort to attract ever more investment from, for example, Taiwan, Japan and France, as well as the United States (Hull and Forbes, 10). In turn, this will draw people away from rural areas, increasing urbanization rates and the two-city urban primacy indices, all of which stand in contrast to Vietnam's stated population distribution goals. In order to establish a pattern of equitable economic development, the Hanoi government will have to initiate policy measures ensuring that foreign and eventually domestic capital is evenly distributed between the regions and among rural and urban areas.

Equity can be encouraged by making rural areas and minor cities more attractive to prospective investors. However, to this end, Vietnam has been largely unsuccessful in its attempts at implementing integrated rural development schemes, as is exemplified by the NEZ program's inability to become self-sustaining. Despite the rural areas' apparent difficulties in enticing FDI, the pattern of foreign investment in Vietnam's primary industries might, for a time, encourage investment in the rural regions (FEER 1992, 215; Fuchs and Pernia 1987, 399). Vietnam's capacity to absorb foreign investment as well as its attempts to distribute economic growth among urban centers and between rural and urban areas will also be affected by progress made towards improving the infrastructure required to join city and hinterland (Hull and Forbes, 9).

Nevertheless, rural development success stories do exist. For example, the most equitable Japanese investment pattern in Southeast Asia is found in Malaysia where an integrated rural development (IRD) program, which consists of the Federal Land Development Authority (FELDA) and the Rubber Industry Smallholder Development Authority (RISDA), has encouraged balanced investment in both urban and rural areas (Fuchs and Pernia 1987, 396–397). In addition to its successful settlement program, FELDA has been responsible for improving rural infrastructure, providing rural health and education facilities, as well as influencing an overall decline in rural poverty since 1975 (UNICIRD 1989, 67).
Ready or Not? Doi Moi and the Legacy of the New Economic Zones

The Malaysian case provides Vietnamese planners with an example of a successful IRD program. The means required to finance such a program in the near future have been provided by the international community, granting Vietnam the time and resources required to deal with the population/human resource issues that are so important to establishing equitable and self-sustaining economic growth. The importance of these population issues to the eventual success of Vietnam’s economic transition is recognized at even the highest levels of the Vietnamese government. The General Secretary of the Vietnamese Communist Party, Do Muoi, while addressing the National Assembly in December 1993, stated:

It should be noted, however, that economic growth cannot resolve all social issues. We should not wait until we attain high economic growth to resolve our social issues. On the contrary, if we can satisfactorily resolve these issues sooner we will be able to accelerate economic growth more effectively (Voice of Vietnam 1993a).

CONCLUSION

Recent events in the Soviet Union and Eastern Europe, Vietnam’s withdrawal from Cambodia, its decision in 1989 to repatriate refugees, and Doi Moi with its concomitant increase in foreign investment, will all impact on migratory movements within Vietnam and eventually place severe pressures upon the country’s economic and social infrastructures. Despite the policy options available to Hanoi, it seems that the New Economic Zones program will remain the foremost method of inducing and managing migratory flows. The NEZ program’s inability to stem rural-urban migration or to alleviate the traditional population pressures in the densely populated Red River delta region should provide substantial incentive for state planners to lessen the country’s dependence upon resettlement programs.

Like East European countries, Vietnam is attempting to implement market-oriented reforms without the necessary human resource base, the absence of which is partially the result in Vietnam of the Maoist-style deurbanization program. It is clear that the legacy of the population resettlement program and Vietnamese planners’ decisions addressing contemporary population and human resource development challenges will greatly influence the
results of Vietnam's embarkation into the world of market economics. Whether or not Vietnam, since reunification, has had the means to engage in more integrated rural or urban development programs is irrelevant. What is relevant is the need for international development donors to recognize Vietnam's human resource requirements and encourage Vietnam to implement projects that take a more integrated approach to population, human resources and sustainable economic development.

Notes
1. Since the communist takeover of South Vietnam in 1975, Saigon has officially been referred to as Ho Chi Minh City, although both names are used interchangeably. For the purposes of this paper, Saigon is used for the period prior to 1975, and Ho Chi Minh City for the period following reunification.
2. This assumes a Dong:USD exchange rate of 10,500:1. The figures are contained in a speech given by Vo Van Kiet to the Vietnamese National Assembly (Voice of Vietnam 1993b). The Asian Development Bank concurs, but uses a Dong:USD exchange rate of 10,000:1 (ADB 1993, 126).
3. See Oberai (1987, 14-16) for a poorly organized but extensive listing of the main reasons why development planners should be concerned with managing the migration process and how migratory patterns should influence development planning.
4. See Oberai (1981, 231-244) for a discussion of indirect and direct policies.
5. Pearse Murray and Ivan Szelenyi (1984, 91-107) developed a model that tries to conceptualize the “nature of urbanization under socialism.” Their model is important in the context of this discussion since it can function as an analytical tool placing the processes of urbanization and deurbanization generally within the context of socialist urbanization in particular. The model consists of three “types” of urbanization that a country may or may not experience during its transition to socialism. States can encounter: firstly, a process of deurbanization, a freeze or decline in an urban population due to the conflict between the state and the petty bourgeoisie; secondly, zero-urban growth or slow urban growth as a result of either a Stalinist or a Maoist economic development model; and, finally, socialist intensive urbanization.
6. The urban growth rate is attributable to both natural increase as well as in and out migration.
7. Ministry of Labour statistics show that 80-90 percent of returning workers have been unable to find employment (FBIS 1993b, 55).
8. Since 1989, 26,000 boat-people have returned from throughout South East Asia, with 42,000 remaining in Hong Kong awaiting asylum hearings. Many of these hopeful émigrés will return to Vietnam before the end of 1994.
through forced repatriation and monetary incentives provided by the UNHCR and the EU (Balfour 1993, 34).

In relation to other Asian countries, Vietnam ranks above only Bangladesh in terms of gross domestic investment as a percentage of GDP at 12.7 percent (ADB 1993, 265). A further indication of Vietnam’s reliance on FDI is its 1988 foreign investment legislation, one of the most liberal of its kind in Southeast Asia.

A United Nations survey of 38 Asian countries found that 32 considered their spatial population distribution unsatisfactory, and Vietnam was one of 12 which called for major changes (United Nations 1992).

This should be qualified by the fact that the process of agricultural collectivization in Vietnam, within which the NEZs are included, has been considered by some to have exemplified a successful IRD program (UNICRID 1989).

References


Ready or Not? Doi Moi and the Legacy of the New Economic Zones


This paper argues for a move away from the traditional "human capital" approach of youth employment preparation which concentrates only on the rapid building of job-specific skills. Instead, the author recommends a "youth development" approach to address hard-to-serve youths' basic needs and to develop their interpersonal, cognitive and vocational competencies as a means to ensuring long-term sustainable employment and development. The author analyzes the impact of the recent JTPA amendments on youth employment preparation programs and presents a number of "best practices" that may result in better program outcomes.

Recent evaluations of the Job Training Partnership Act (JTPA) employment preparation programs have shown lower than expected outcomes in terms of youth achieving sustainable, unsubsidized employment. Among the reasons for these mediocre results have been the lack of job literacy skills, as well as a number of other factors. The author explores these issues and offers recommendations for improving future programs.

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of unmet personal needs which make at-risk youth unstable in their new job setting.

Critics of the JTPA system argue that traditional training in the United States has concentrated too much on building specific job skills and looking at youth employment preparation from a "human capital" approach. This approach overlooks the complex and multiple problems affecting the development of these at-risk youth, such as the need to build basic competencies and maturity, as well as the need for education, housing and counseling on substance abuse and family issues. These programmatic shortcomings and the poor evaluation results have led the Department of Labor and many other governmental and community-based organizations (CBOs) to call for a more holistic response to preparing at-risk youth for the labor force.

In 1992, the Department of Labor and Congress adopted new amendments to the JTPA system which provide for more comprehensive services tailored to the needs of at-risk youths, as well as new assessment and monitoring procedures. In addition, these new changes have begun to embrace a "youth development approach." Such an approach gives priority to youths' basic needs and tries to develop their interpersonal, cognitive, physical and vocational competencies. Furthermore, the youth development approach notes the importance of engaging the youth as a central actor in his preparation process and within his community context.

This paper will analyze the recent JTPA amendments and how the youth development approach may be used as one effective model of employment preparation for at-risk youth. In doing so, the paper will also present a number of "best practices" and future challenges to obtaining better outcomes as identified by advocates in New York City programs.

**THE CURRENT CRISIS OF YOUTH EMPLOYMENT**

The media reminds us daily of the problems confronting, and caused by, a growing population of school dropouts and non-college-bound youth. A large percentage of the 37 million young adults between the ages of 16 and 24 have insufficient literacy and job skills for the rapidly changing labor market. One in four ninth graders nationwide never finishes high school (Smith and Moorhouse 1988, 9). If these youth cannot find decent economic opportunity, they often turn to illicit activities such as drug use, theft
or other crime as a means of survival. One study found that 62 percent of today's state prison inmates are high school dropouts (Terry 1993, 1). High school dropouts also tend to face an array of other problems including substance abuse, family problems, and teenage pregnancy.

Finding a job as a youth, however, is becoming more difficult. The unemployment rate is three times higher for workers under age 25 than for those over that age. In 1988, only 56 percent of non-college-bound (NCB) youth with high school diplomas age 19 and below were employed full-time. The employment rate for those who were high school dropouts was dramatically lower, reaching only 33 percent. In addition, the earnings of male high school dropouts between the ages of 20 to 24 declined more than 42 percent in real terms between 1973 and 1986 (Children's Defense Fund 1989, 4).

There are also substantial differences in the rates of youth employment between races. Only 45 percent of NCB black males in the labor force between the ages of 16 and 21 were employed in 1983. This compares to 73 percent for their white counterparts. Out of school, inner-city black youth are also more likely to earn lower wages and work fewer weeks out of the year (Freeman and Holzer, 18).

Some of the possible causes for the current unemployment crisis among urban youth include: the demand for higher technological skills in new jobs, a reduction in the number of traditional manufacturing jobs, the movement of jobs from the cities to the suburbs and a decline in motivation to work at minimum wage jobs. In addition, a recent Urban Institute study found that white youth often receive jobs instead of blacks because of their connections and business contacts. This problem of minorities being "reference poor" is also exacerbated by the existence of employer discrimination. A recent Urban Institute study found strong evidence of employer discrimination against black youth (Struyk and Turner 1991, 1).

Another cause of low youth employment rates, however, is on the labor supply side. Seventy-one percent of black youth claimed that it would be easy to find minimum wage employment (Freeman and Holzer, 21). Therefore, the problem is not always a question of a lack of employment opportunities, but rather the kind of opportunities they are. Freeman argues that while black
youth want to work, they want to earn wages comparable with those of white youth and sufficient enough to buy the material goods that act as status symbols. This creates a problem in that the supply of jobs for NCB inner-city youth is mainly in minimum wage service sector jobs. Therefore, many youth are not willing to go to work for these wages, especially when there is a much higher earning potential in illicit "on the street" jobs.

The decline in youth employment, especially among out-of-school youth, may have an important impact on society in terms of a rise in public assistance outlays, an increase in criminal activity, a decline in traditional family structures and a fall in economic productive capacity. For example, studies have found that young men with earnings above the poverty line are three times more likely to be married. This could have a direct effect on the incidence of out of wedlock child births and single parent families (Children's Defense Fund 1993, 5).

Employment preparation programs under the Job Training Partnership Act (JTPA) offer an important "second chance" for many high school dropouts, and for some, a last chance before entering the criminal justice system. More and more, these employment preparation programs are beginning to recognize the other integral needs in developing at-risk youth for independent life.

EVALUATING PAST APPROACHES TO JTPA TRAINING

Since 1983, the JTPA has supported local programs which provide job training for economically disadvantaged youth and adults. JTPA is administered by the Department of Labor through Service Delivery Areas (SDAs) in each city. Congress enacted JTPA to replace the Comprehensive Employment and Training Act (CETA) which had shown mediocre results. The new act gave states more flexibility and oversight in terms of program design and funding decisions. Under JTPA Title IIA, 40 percent of funds had to be targeted at youth aged 14-21, and funds for services to high school dropouts were apportioned equal to their proportion of the overall age group (Smith and Moorhouse 1988, Appendix A). These funds supported programs and services including occupational skills training, basic skills education, assessment, job development, work experience and some related counseling.

During the 1980s, however, the JTPA continued to look at youth employment preparation through a traditional "human capital"
approach. This approach tended to develop only the labor aspects of youth and prepare them for jobs as quickly as possible. Many at-risk youth, however, suffer from a number of different deficiencies in their educational, physical and psychological development. Evaluations have shown that the oversight of not addressing youth's developmental needs was one reason many youth in job training programs failed to achieve long-term job stability.

In 1987, an 18-month national JTPA study was carried out by Abt Associates. The study's results found that while adults in JTPA programs tended to have increases in earnings, youth in these programs actually had losses compared to non-participants. Male youth participants earned $854 less than youth in a control group that did not receive training. One positive outcome, however, was that 26 percent of program participants earned their high school or GED degree while in the program as compared to only 15 percent in the control group (Daily Labor Report 1992).

Some JTPA advocates, however, charge that the results are flawed due to methodological errors. First, the earnings differential is inaccurate because the study computed earnings from the time of intake on. Therefore, youth outside of training had a head start in terms of building cumulative earnings, since program participants had to spend the first six months in classroom training. Another problem is that the study had a narrow definition of positive outcomes. By mainly concentrating on job placement and earnings, it overlooked many of the intrinsic competencies developed during the training period, as well as a number of youth who went on to higher education. Finally, the study included some youth in the control group who had at one time been in JTPA, but failed to recognize any partial benefit they may have received from prior participation in the program.

Another evaluation of JTPA programs in New York City also found discouraging results for youth. Most of the youth job placements were concentrated in a limited number of low wage occupations. For example, four occupations accounted for 55 percent of the placements in 1990. These included: clerk typist/data entry (17 percent), general clerk (23 percent), cashier/bank teller and stock/shipping clerk (together 15 percent). The latter three occupations yielded average wages below $5.90/hour. Food service job placements accounted for another 10 percent of placements even though there was no JTPA training in this area. This occupation paid on average only $4.21/hour in 1990. Less
than one percent of participants were trained or placed in any one of the highest paying occupations such as construction ($10.43/hour), secretary ($8.94/hour), assistant bookkeeper ($8.26/hour), or accounting clerk ($7.75/hour) (Inniss et al. 1993, 43).

One conclusion from this evaluation is that community-based organizations need to have higher expectations and more diversity in their job skills training. This, however, requires more training of youth workers and additional resources to establish training facilities in these higher paying occupations.

**The 1992 JTPA Amendments**

In response to the poor evaluation results, the Department of Labor and Congress amended the JTPA to move from a short-term job preparation perspective to a longer term view which could address the other developmental needs of hard-to-serve youth.

**Concentrating on Hard-to-Serve Youth: Title II-C**

The new 1992 JTPA amendments created a separate category, Title II-C, for youth program funding. While the main emphasis of this new category is to improve school-to-work transitions, special consideration is given to out-of-school, hard-to-serve individuals. At least 65 percent of participants, in addition to being economically disadvantaged, must meet one of six other risk criteria, including: being a school dropout; teen parent; welfare recipient; past offender; or homeless person. The main objectives of the new Title IIC program are to improve long-term employability and earnings, as well as, enhance educational, occupational, and citizenship skills. It also seeks to encourage school completion in regular or alternative schools.

**"One-Stop Shopping" Assessment Centers**

Another important reform in the JTPA system is the emphasis on the creation of "one-stop" assessment centers. These centers will serve as central screening points to decide if an applicant is eligible and suitable for a JTPA program. Even if a person fails to qualify for a JTPA program, the one-stop center will be able to gather information on their needs, refer the person to other possible services, and provide general job placement counseling.

Furthermore, this effort at "honest brokerage" will carry out objective, comprehensive assessments of eligible applicants' needs,
interests and abilities so as to better guide them to the most appropriate community program. The rationale behind these more centralized assessment centers is to prevent “creaming,” whereby CBOs select only those candidates that are most likely to find a job quickly. Past experience has shown that applicants usually enrolled in programs nearest to their home without thinking whether it provided training in an occupation of interest to them. This new gateway to the JTPA system will help match their interests to the most appropriate options.

**Competency-Based Skills and Supportive Services**

Within the new Title IIC category, funds can be used to build competencies and train youth in traditional areas such as basic skills, pre-employment skills, occupational skills, work experience and job development and placement. But they can also now be used for providing other supportive services to ensure the holistic development of youth. These services include substance abuse counseling, child care, transportation, work maturity skills preparation and incentives for performance and attendance. In this way, JTPA programs can provide more comprehensive services which are tailored to their participants' specific needs.

Under the new reforms, classroom training and work experience must be linked to contextual learning. This approach relates occupational and basic educational skills by using aspects of each one in the teaching of the other. This learning method also marks a move towards concurrent rather than sequential programming. Concurrent programming divides the training day into related educational and occupational lessons, whereas the old sequential model would first present a number of weeks of basic skills education followed by a number of weeks of occupational training.

**Monitoring and Performance Standards**

The reforms also establish a new reporting system which requires states to continually monitor the scope of services provided, the job placements, demographic characteristics, and the type of outcome for each client. Prior to the amendments the monitoring system did not gather longitudinal or long-term information on the types of training or jobs that participants received.
The scope of performance standards has been expanded to allow for a broader range of positive program outcomes. The new youth standards include: job placement, employment competencies, dropout prevention and recovery, secondary and post-secondary school completion, and enrollment in other training programs (Greg Newton Associates 1993b). An incentive system is established by the states to reward or penalize SDAs on the basis of their ability to meet these performance standards.

**THE YOUTH DEVELOPMENT APPROACH TO EMPLOYMENT PREPARATION**

Many of the framers of the JTPA amendments were influenced by the opinion that the weak performance of traditional JTPA programs, the changing nature of the labor market and the complex needs of at-risk youth demanded a more holistic and developmentally-sensitive approach to youth employment preparation. The youth development approach is one such model. As Michelle Cahill defines it:

The youth development approach recognizes that any programs aimed at improving outcomes for youth must be rooted 1) in an understanding of the basic human and developmental needs of youth and the broad range of competencies they must develop during adolescence in order to make transitions to successful adult functioning, and 2) in a recognition that youth themselves are central actors in their own development (Cahill 1993, 4).

In addition, this approach notes the importance of engaging the youth within his/her community context and how that affects the services provided. Therefore, youth development can be seen as a systems approach to employment preparation which creates a synergism between identifying needs, providing skills and services, and developing long-term competencies and autonomy.

**Human and Developmental Needs of Youth**

Disadvantaged youth have a host of immediate needs with which to be concerned in their daily lives including housing, legal issues, family disputes and substance abuse, to mention a few. They also have a number of more psychological and developmental needs such as the need for a sense of safety, structure, belonging and self worth.
A program that ignores this array of youth needs fails to recognize the destabilizing factors which prevent the participant from successfully adapting to the adult job environment. The youth development approach recommends an assessment and case management system which monitors and helps secure the human and developmental needs of adolescent participants on an individual basis.

**Developing Competencies**

In addition to these basic needs, disadvantaged youth and school dropouts often acquire fewer of the necessary competencies to function effectively in an adult setting. The main competencies to be developed include:

1) Physical development—an understanding of one’s body and health status and how to maintain it.

2) Cognitive development—the ability to think abstractly and analytically, to problem solve, to plan and evaluate, and to express oneself clearly orally or in writing.

3) Emotional development—the ability to express one’s feelings and shape behavioral responses.

4) Interpersonal and social development—the ability to develop friendships and relationships through communication, cooperation and negotiation, and the ability to work with others.

5) Moral development/citizenship—the ability to balance rights and responsibilities, justice and compassion, and understand ethical problems. Also, understanding one’s community’s history and values.

6) Vocational development—an understanding of the value of work, vocational options, how to prepare oneself, and the ability to find a job (Cahill 1993, 6; Gambone 1993, 10-13).

The Secretary’s Commission on Achieving Necessary Skills (SCANS) identifies five other competency areas more in line with actual job skills that they see as an outcome goal of JTPA programs. These occupational competencies include:

1) Resources—the ability to organize, plan and allocate resources.

2) Information—the ability to identify, assimilate, integrate and utilize information from different sources.

3) Interpersonal skills—the ability to participate as a member of a team and function as a member of a group.
One example of an effective assessment model is the Young Adult Learning Academy (YALA), which is a consortium of eight CBOs providing different types of occupational training. YALA enrolls about 300 youth in each session. To enter, a youth first has to go through lengthy interviews with counselors who determine eligibility, motivation, interests, family background and relevant needs. After being accepted, the youth attends a one week orientation where she takes more basic skills tests and sets goals for herself. At the end of this period a comprehensive service plan is outlined for each individual.

It is also important to continue the individual assessment of the participants' needs and performance both during and after the program. At YALA, a counselor develops a rapport with the youth and tracks the individual's progress. He helps the student set and meet her goals, obtains needed services, and closely monitors the student's attendance and growth in the program and job placement progress (Gambone 1993, 22).

A JTPA study found that a common trait of most exemplary programs is the adoption of comprehensive, individual assessment and monitoring systems. Unfortunately, the evaluation found that less than one-fourth of CBOs studied have comprehensive assessment, monitoring, and participatory goal planning components in their program (Gambone 1993, 62).

As of 1994, New York City is trying to build these components into its system citywide. First, the city has set up a pilot one-stop assessment center in the Bronx. The city plans to establish a total of 20 centers (four in each borough) by 1995. In addition, it will begin an integrated computer on-line service referral system. The one-stop centers and any CBO can hook into this referral system to match individuals' needs with the availability of day care centers, counseling centers, public assistance programs, etc.

**Staffing**

Developing an experienced and committed staff has repeatedly been identified as a key component of successful programs. The NYC Youth Consortium noted the following qualities of a good staff: 1) having high expectations for students; 2) conveying a caring attitude; 3) showing respect and understanding of students' backgrounds and youth issues; 4) being committed to the program and students; 5) being sufficiently trained and skilled; and 6) being
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flexible in role definition (Cahill 1993, 9). A recent national evaluation found that in programs with multiple components, the quality of counselors and case managers is particularly important to helping the students successfully complete their program. These evaluations also found that higher qualifications and periodic training opportunities for staff distinguished exemplary programs from the rest. Unfortunately, 39 percent of CBOs surveyed reported having no staff training budget. Furthermore, only 8 percent of program directors thought that youth-related skills (counseling, understanding the needs of at-risk youth) were an important staff qualification (Gambone 1993, 65). However, staff trained as youth counselors play a key mentoring role for the at-risk youth who often have not had positive adult role models in their lives. In some successful programs, the mentoring relation between staff and student continues even after the student enters the workplace through ongoing follow-up by the counselors.

Effectively relating to youth is a precursor to engaging the youth in the learning process. Too often youth drop out because the teachers and staff do not or can not relate to them. It is therefore important that the staff of youth training programs, especially those for hard-to-serve youth, are trained youth workers, as well as skilled teachers.

Furthermore, the role of qualified job developers in successful programs can not be understated. Programs with high placement levels usually have one or a number of experienced job developers who work with businesses and public sector agencies to find or create new jobs for the graduating program participants. These developers are also an important source of information as to what types of skills businesses are searching for and what types of jobs are available at present and in the future.

Unfortunately, finding qualified staff and keeping them trained requires additional resources which CBOs often do not have. If these programs are to be successful either more money must be set aside from JTPA funds for these purposes or efforts must be made to leverage local funds.

Related to the need for qualified staff is the larger need for institutional capacity building. This need to develop an institutional culture within the CBO often requires the clear definition of mission and organizational goals, as well as a solid leadership structure. These aspects help give the staff and the youth a sense
of stability in the program and its direction. One administrator at the Department of Youth Employment contends that strengthening the institutional development of the CBOs through staff certification, training and local resource development is the key to adopting other best practices and embracing the youth development approach. He notes, however, that this institutional capacity building requires either more federal funding or a concentration of current resources on a smaller number of programs.

**Expectations**

One of the most important ways to engage youth is to place high expectations on them. These expectations are placed on both the attainment of educational and vocational competencies, and helping the student meet their own developmental needs and goals.

One community program, the Vocational Foundation, attributes its successful performance rates to the high expectations placed on students and staff. The organization is located in an office building in lower Manhattan and expects its students to come dressed professionally to training classes each day. For those who cannot afford the cost of clothing, the agency helps provide them with secondhand business clothes. Director Rebecca Taylor says that this level of professionalism combined with the business location of the center helps the students to build self-esteem and strive for higher goals. The staff also places high expectations on the students by presenting them with challenging assignments and in terms of developing life planning skills and goals.

Another noted method of engaging youth in programs is increasing their role in the governance and the planning of programs themselves. This participatory role may take many forms, from leading discussion groups or committees, to actually sitting down with staff to debate rules and policies for the program.

**Educational Process**

Linked to high expectations is the need to engage students actively in the learning process. This engagement can be done in a number of ways. First, hard-to-serve youth need learning to which they can relate. The contextual learning approach links academic skills to job skills through coordinated team teaching. In this way the learning process moves from the practical to the
Theoretical, and basic educational skills take on meaning in everyday occupational tasks. Thus, students in building maintenance training programs at Alianza Dominicana in Upper Manhattan learn that mathematics is necessary to calculate the materials needed to complete a repair job.

Second, as most of the hard-to-serve youth were unsuccessful in regular educational settings, the learning process must be designed to attract the student. Therefore, small, less formal group settings often are effective in presenting the basic educational skills classes.

Third, in order for the students to be successful in applying their occupational skills they must develop both maturity skills and pre-employment skills (how to dress and find jobs, how to sell themselves in interviews, how to act in the workplace, etc.). Many successful programs have implemented training in these skills through small group settings and role playing.

Fourth, students are often motivated by the opportunity for hands-on work experience. Often the best way of providing this is through internships with local businesses outside of classroom hours. An evaluation of training modalities by the New York City Department of Employment, however, found that classroom training produced the most placements and yielded the highest wages. Sixty-one percent of placements of classroom-trained participants received jobs paying more than seven dollars an hour (Inniss et al. 1993). Direct placement services were found to produce the most low wage jobs, while on-the-job training was found to generate mixed results.

One possible reason for this difference may be that as jobs become more employer-specific, businesses see classroom training as developing a wider array of competencies and maturity that they are not able to provide in the workplace. Studies have shown that most businesses want classroom-trained youth more for the student's competencies and maturity level than for his vocational training since businesses increasingly do their own vocation-specific training. Classroom competency-based training therefore may have longer lasting benefits for youth than vocation-specific skills training which goes out of date quickly in a changing labor market.

However, surveys have also shown that one of the main reasons youth are attracted to JTPA programs is to gain hands-on work
experience. It is important therefore to find a balance between in-class training and workplace experience. Manhattan Valley, as well as other CBOs in New York, successfully provides a combination of a realistic work environment in their training facility, individual counseling with job developers and opportunities to gain work experience through part-day internships or summer work programs (Gambone 1993, 30).

The New York City Youth Employment Consortium outlined a number of other best practices which characterize a positive learning process. These included the following teaching methods: those that rely on student involvement; that are relevant to the students' daily lives; that encourage leadership; that focus on outcomes which encourage continual learning; and that include a cultural content (Cahill 1993, 10).

Meeting Other Service Needs

Another trait of successful programs is being able to help participants meet their social service needs. As mentioned before, these needs can range from stable housing, to substance abuse and family counseling, to child care during and after the program, to transportation money to get to the program. It is estimated that in the United States 300,000 economically disadvantaged youth need childcare to be able to work (National Youth Coalition 1993). By showing concern for the individual's needs, the program not only wins the participant's trust but also eliminates distractions which would prohibit the youth from finishing the training.

Many programs use case managers who work with each individual to develop a service plan and make the appropriate referrals. As previously mentioned, this process will be facilitated in New York City by a new computerized referral system which link CBOs to the services of public and private social service agencies.

The Door represents a more direct, but also more expensive, service model. Although not a JTPA program, this exemplary multi-service center for youth in Manhattan at-risk youth has over 30 services provided within one building, including: a health clinic, a legal clinic, counselors on issues such as housing, parenting and substance abuse, a GED program and a vocational preparation program, to mention but a few. This model is attractive in that the youth can be referred from one specialist to another within the
same building, eliminating transportation and time costs which often discourage youth. It also allows the program to identify and build on all the youth's developmental needs in an integrated manner.

**Future Challenges and Recommendations for Implementing Best Practices**

Significant advances have been made both in terms of JTPA legislative reforms and developing a more holistic model for youth employment preparation. Unfortunately, the implementation of best practices and the youth development approach has been very uneven. This has mainly been due to issues such as limited resources, continuing problems within the JTPA guidelines, especially regarding acceptable outcomes, and CBO resistance to certain reforms such as one-stop assessment centers. A recent report on JTPA reform by Public/Private Ventures recommended that the Department of Labor (DOL) must "take a leadership role in establishing and supporting programs aiming to promote the overall maturation of disadvantaged youth." (Gambone 1993, Preface) This will require that DOL support its recent reforms with additional funding and technical support to SDAs and CBOs.

**Increasing Resources**

Among the various challenges to successfully implementing best practices, resource limitations stand out as the largest issue. Gerald Peterson, the Assistant Inspector General for the DOL, points out that while the new JTPA amendments address deficiencies in the law regarding hard-to-serve youth, they do not resolve the problem of limited resources. The system is being asked to provide many more educational, occupational and supportive services, but federal funding for the programs has not kept pace with the increasing costs of this holistic approach (Daily Labor Report 1993b).

While overall JTPA funding has increased by 13 percent to almost $5 billion this year under the Clinton Administration, a decrease has occurred in funding for Title II-C year-round youth programs. Title II-C funding will be cutback from $676 million in 1993 to $658 million in 1994 (Docu-serve 1993). New York City program administrators are expecting a cutback of as much as 20 percent over the next three years.
One reason for the cutbacks in out-of-school youth training funds is the Administration's interest in a more preventative approach which is centered on school-to-work transitional programs. While this approach will not affect most regions of the United States that already focus on in-school youth, New York City programs will be significantly affected since the city spends 80 percent of its funds on out-of-school youth programs. Another reason for the decline in funding is the Administration's priority of putting more resources into Title III to retrain workers dislocated by the North American Free Trade Agreement.

This reduction in funding for out-of-school youth programs, at the same time that JTPA amendments stress the importance of a more comprehensive approach to working with them, seems hypocritical. If the JTPA hopes to achieve positive occupational and developmental outcomes it must provide the needed resources. Among the areas which require immediate additional funding are staff development and training, increasing full-time positions for social service case managers and job developers, and the development of more contextual learning curriculums.

For the time being, SDAs are forced to balance quantity versus quality in their program selection criteria. In order to truly benefit any youngster with the present funding levels, the number of agencies and participants must be reduced so as to provide integrated and quality services. SDAs should be encouraged to give priority in their contracts to those CBOs which already have a youth development structure and trained youth workers.

In addition, the DOL should provide technical assistance to SDAs and CBOs that are interested in leveraging additional local resources to expand program services and improve the quality of staffing. Private sector leveraging is also needed to improve the number and quality of job placements for program participants. A comprehensive strategy should be developed between the CBOs, the appropriate government agencies and local industries to identify required job competencies and placements.

**Promoting Program and Outcome Flexibility**

Another problem frequently identified by CBOs is that the JTPA program performance standards for "positive outcomes" are defined too narrowly. Traditionally, JTPA has only recognized job placements and the attainment of certain vocational skill compe-
tencies as positive outcomes. However, as many New York CBOs argue, youth gain a number of other benefits from employment preparation programs that should also be considered in the evaluation of program performance. These include the attainment of a GED degree, the return to regular school programs, the placement in part-time jobs, the building of pre-employment skills and maturity skills and the resolution of social service needs. There is also an intrinsic, qualitative benefit of such programs including increased self-esteem and independence. Therefore, many CBOs and SDAs favor a wider definition of positive outcomes, more flexibility in terms of program time frames and entry and exit requirements, and individualized choices in programs (Cahill 1993, 11).

However, some JTPA advocates and CBOs differ on the question of whether programs need to be longer or just more intense. On one side, some CBOs claim that the increased number of competencies and services that they are expected to provide requires a longer and more flexible program period. In addition, longer programs allow for the building of more work maturity and the socialization of at-risk youth. On the other side, some advocates say that there is a need for more intense programs which place higher expectations and standards on these youth. These advocates argue that at-risk youth are anxious to find jobs and income and that long programs may lose their interest. Therefore, shorter programs which rely on the intense, concurrent presentation of the different competency areas may be more effective in attracting and keeping hard-to-serve youth in the programs.

Regardless of the length of the actual training program, CBOs should try to increase the attention given to follow-up of participants. The continuance of the positive mentoring relationship between staff and student can help the participant deal with early workplace challenges, provide motivation, and supply the CBO with important feedback about how to improve its training program. This follow-up can be done either by encouraging past participants to return for visits/follow-up meetings, or by counselors carrying out post-program placement visits.

Recently, the JTPA system changed its budgetary framework for programs from being "performance based" (where CBOs were paid for the number of successful job placements they had), to line item budgeting (where they are given money on the basis of the number of trainees they receive). This change was important
because it partially recognizes the alternative positive outcomes and benefits coming from the program even if the student does not go directly into a job. The DOL and local program providers must push for new JTPA guidelines which expand the types of acceptable program outcomes. This will allow for more flexible program design and a tailoring of services to the needs of the youth. However, once the definition of outcomes is broadened, additional incentives should be given to those CBOs which have high job placement rates.

Finally, although it should go without saying, jobs should create the need for training, and not the reverse. Too often in the past, programs have trained for outdated occupations or occupations in which there were only limited opportunities. Close collaboration is needed between industry and the SDAs and CBOs to identify future employment trends and training priorities. In addition, CBOs should support an increase in the use and training of job developers as one of the best ways to ensure quality job placements.

Questions on Assessment

Another area of concern is the proposed monopoly over assessment and program placement by one-stop centers. Many CBOs resent the implication that they have not been “honest brokers” of their participants’ concerns. Many feel that the important component of community context will be lost as youth from their area are referred to other parts of the city.

Still others feel that the assessment interview period is an important part of showing the student the benefits of the program and measuring their motivation in completing the program. Many fear that the regulations on accepting a certain percentage of referrals will hurt the dynamics of their programs.

However, as one administrator of the New York City Department of Employment effectively points out, the goal of centralized assessment is not to homogenize CBOs, but rather to accentuate their different approaches and to objectively match the applicants’ needs and interests to the most appropriate program.

CONCLUSION

The DOL has made important steps toward reforming the JTPA system to better suit the individual needs of hard-to-serve youth and increase their chance at long-term job-placement success. The
commitment to more comprehensive assessment and monitoring requirements, expanded emphasis on developing youth employment competencies and increasing supportive services to meet individual needs will not be enough if CBOs are not given the technical assistance and additional resources, or if they lack the will necessary to implement the ideas properly. What must be made clear to all is that the investment in a more developmentally-oriented approach to preparing at-risk youth for adult life will give society large returns by avoiding the expensive alternatives of neglect (crime, violence and substance abuse). Today's at-risk youth are truly "diamonds in rough" which need structure and support from various directions to evolve into their full potential. In order to build a versatile and dynamic workforce for tomorrow, we must begin today with a greater investment in the holistic development of our youth.

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CRISIS POLITICS, PRESSURE GROUPS, AND LEADERSHIP CHANGE: THE POLITICS OF RUSSIAN ECONOMIC REFORM

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Stringent IMF requirements often restrict the range of available answers to the pressures brought to bear by competing interests, and the result can sometimes be leadership or regime change. Utilizing methods similar to those of Peter Gourevitch and Jeffrey Frieden, the author argues that economic crisis led Russia to seek membership in the IMF and institute a program of economic reform which threatened the interests of a number of powerful industrial managers. These managers organized themselves into the powerful Russian Union of Industrialists and Entrepreneurs (RUIE) and, after an initial period of confrontation, worked with Boris Yeltsin’s government to achieve some of their goals. Following the realization that its interests were being submerged in the program of acting Prime Minister Yegor Gaidar, however, the RUIE changed tactics and began to work actively against the government. This culminated in the ouster of Gaidar from the post of acting Prime Minister at the Seventh Congress of People’s Deputies in December 1992.

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The International Monetary Fund (IMF) is notorious for the stringent conditions it attaches to financial assistance to governments in the developing world. Over the past decade, the newspapers have been filled with numerous stories of bloody riots and coup attempts throughout the Third World that were precipitated by government policy changes required by the IMF. Recently, the IMF extended its assistance to the Second World; on April 29, 1992, the IMF admitted Russia and thirteen other former Soviet republics as its newest members. This immediately provided Russia with $24 billion in direct assistance and access to $4 billion in annual credits (Latsis 1992a).

In many countries throughout the world, the IMF is an important contributor to policy choice and politics. Often, the economic programs of many less-developed countries, particularly in Latin America, can be directly traced to the stringent requirements of the IMF. This influence over policy choice also affects the domestic political process. Politics answers the questions of "who gets what, when, and how." (Offe 1991) When the IMF enters the picture, the answers to these questions often become severely restricted. This leads interests to compete for a larger share of a decreasing pie, resulting in increased pressures for favorable policy treatment and sometimes leadership or regime change (Frieden 1991).

To what extent are these pressures evident in Russia today? The government of President Boris N. Yeltsin seems ideologically committed to free-market reform and the integration of Russia into the world economy. The economic program adopted in February 1992 was clearly drafted with an eye toward gaining Western assistance and Russian admittance to international financial institutions. Prices were liberalized and credit tightened, and the government committed itself to privatization and to the introduction of a single exchange rate for the ruble (Latsis 1992a). However, in June 1992 there was a significant relaxation of credit, and monetary and financial policy. This led to a jump in the inflation rate and an increased disparity in the dollar-to-ruble exchange rate (Gaidar 1992). Further, throughout the autumn of 1992, Yeltsin’s Prime Minister and chief economic architect, Yegor T. Gaidar came under increasing attack from the coalition of industrialists, old official trade unions, and conservative politicians known as Grazhdansky soyuz or Civic Union. The Civic Union
ostensibly supported President Yeltsin's economic reform strategy, but could not agree with the tactics—the policy of Yegor Gaidar (Kononenko 1991). At the December, 1992 Congress of People's Deputies, the Civic Union was instrumental in removing Yegor Gaidar from the position of Prime Minister.

How has the adoption of an economic reform program consistent with IMF prescriptions shaped the policy discourse in Russia? What led Boris Yeltsin's government to backslide on its monetary and financial policy in June 1992? What pressures did it face? What shaped Civic Union's opposition to Gaidar's economic reform policy and led it to seek his ouster at the Seventh Congress of People's Deputies? These are the questions I seek to answer.

Using a framework similar to that developed by Peter Gourevitch and Jeffrey Frieden, I intend to explain how interest group pressures have shaped the politics of economic reform in Russia, given rise to backsliding and changes in the economic reform strategy first enunciated by President Boris Yeltsin in January 1992, and finally led to the ouster of Acting Prime Minister Yegor Gaidar at the Seventh Congress of People's Deputies in December 1992. My argument and supporting evidence are presented in the following pages.

**THE ARGUMENT: EXPLAINING THE POLITICS OF RUSSIAN ECONOMIC REFORM**

The IMF has become a significant contributor to the policy choices and politics of countries throughout the world. The economic policies of many developing countries and the response of domestic interests to these policies can often be traced to the IMF's stringent requirements and recommendations. In general, these requirements include a willingness to "conduct all economic and financial affairs in accordance with IMF principles and purposes." (Wiley 1992, 474) They must adhere to rules regarding foreign trade and investment, customs, taxation, monetary policy and exchange rates, and often to recommendations for the removal of price controls and privatization.

These requirements directly impact the politics of member countries, particularly in the developing world. They define and limit the policy options available to decision-makers. Further, they may also define the shape of domestic political discourse. Very
often, the IMF's policy prescriptions exacerbate economic hardship. They cut state subsidies to industries and raise prices for the general populace. This leaves various interests fighting over shares of the state's resources, and increases pressure for policy and, sometimes, leadership or regime change (Frieden 1991).

Claus Offe (1991) describes political systems as the outcome of three distinct levels of decision-making. At the first level, societies must answer questions regarding national identity, citizenship, and the "territorial, social, and cultural boundaries of the state." At the second level, they establish the constitutional and institutional framework—the regime—for the conduct of politics. At the third level, they engage in those "processes that are...mistaken for the essence of politics, namely, decisions on who gets what, when, and how—in terms of both political power and economic resources." I wish to explore how the IMF's policy prescriptions have shaped conduct at the third level and under what conditions it leads to changes in the second.

The writings of Peter Gourevitch and Jeffrey A. Frieden inform much of my argument. In Politics in Hard Times, Gourevitch (1986) argues that economic crises, policy debate, and policy change are connected, and he develops an explanation that links policy outcomes to the pressures generated by interest group politics. His argument, based upon the production profile explanation, focuses on the preferences of "societal actors" as determined by their position in the international and domestic economy. These actors pressure the government for favorable policy changes and form coalitions to press for those changes. Politicians have some influence by "acting as brokers for such coalitions." However, their options are restricted by the "pattern of social wants." (Gourevitch 1986)

Jeff Frieden's argument in Debt, Development, and Democracy (1991) is similar to Gourevitch's. He argues that government actions are the response to socio-political pressures brought to bear on policy-makers by interest groups. However, he focuses not only on policy decisions, but also on the process of interaction in the political arena. He seeks to understand not only why and how interest groups press for policy changes, but under what conditions these groups will generate pressure for leadership or regime change. He uses what amounts to a production profile approach to explain the response of domestic groups in Latin
America to changes in international economic conditions (Frieden 1991). I intend to use this approach to explain the politics of Russian economic reform.

There are four steps to explaining how organized social groups effect changes in government policy: 1) identify the actors and their objectives; 2) specify their policy preferences; 3) determine how the actors group themselves; and 4) examine their interaction with other social groups and institutions (Frieden 1991, 16).

In the first step, the actors are assumed to be rational utility seekers. However, unlike the definition of utility used by Gourevitch and Frieden—the maximization of income (Frieden 1991, 17)—I argue that utility means the maximization power. In Russia, political power has always equaled economic power. In the politics of economic reform, socio-political actors seek to maximize their political power and hence maintain their economic position.

In the second step, all actors are assumed to prefer policies that will maintain or enhance their political and hence economic status. According to Frieden, an actor's policy preferences are a function of two variables: the susceptibility of the actor's assets to changes in government policy and the degree to which its assets have an available alternative use that can earn it a similar rate of return (Frieden 1991, 19–22). In the first instance, the less policy changes affect the rate of return on the asset, the less incentive an actor has to effect changes in policy. This means that industries enjoying substantial protection, whether through significant economies of scale, sunk costs, reputational costs, or other barriers to free entry will be more inclined to influence policy toward their industry. In the second instance, if an actor can easily shift assets from one use to another or has fairly diversified portfolio, it has no incentive to lobby for sector-specific policies. However, more specialized industries, those with more particular skills, machinery, and supply and distribution networks, and other barriers to exit will also be more likely to lobby for favorable government policies. This line of interpretation may seem widely out of place in discussing an economy in which 80 percent of the productive assets are ostensibly state owned (Grosfeld 1990, 142). However, as I will demonstrate later, state ownership in Russia is merely a formal illusion. There are many individuals with a vested interest in maintaining the current system of "property rights" and levels of state subsidies for their own private gain.
While the policy susceptibility or specialization of an actor's assets may determine its policy preferences, giving it an incentive to lobby, it must also be able to coalesce and work with others to achieve its goals. How do individual actors come together to influence policy? There are two explanations. The first explanation is economic, and groups actors according to their shared economic characteristics. "Individuals and firms facing equivalent economic conditions share interests that distinguish them from others: they, unlike others, care strongly about the fate of their industry, region, or sector." (Frieden 1991, 23) Thus, the managers of Russian (Soviet) military-industrial enterprises, the "commanding heights," can be expected to form alliances different from those formed by the directors of consumer goods producing enterprises, the industrial "middle class."

The second explanation groups actors together according to the logic of collective action. The logic of collective action holds that while all actors may benefit from membership in an organization designed to influence government policy, membership in such an organization may be irrational for each individual actor. Each actor incurs costs through membership in such an organization. Further, the individual actor's behavior has no impact on the organization; "one member more or one member less makes no difference." (Frieden 1991, 23) Thus, an actor may rationally choose not to join a lobby, but may still obtain the benefits of favorable changes in government policy. This is the "free-rider" problem found in almost all studies of collective action.

However, organizations can and do come together to pursue collective objectives. How do they overcome the contradictions of collective action, particularly the "free-rider" problem? In the case of industrial lobbies, as I will examine in the case of Russian economic reform, the industry's structure may determine coalescence. If a few large enterprises dominate the industry or it consists of enterprises with rather specific assets, it will be easier for the coalition to avoid the "free rider" problem (Johnson 1991, 260). Further, the more concentrated an industry, the more likely it will successfully exert political pressure (Frieden 1991, 24).

The final step in explaining how social groups influence government policy is to understand how they work within or against existing institutions to achieve their goals. Institutions, using Frieden's definition, are broadly characterized to include "all
long-term agreements about patterns of social behavior—formal or informal social contracts." (Frieden 1991, 24) Political parties, lobbies, and government structures are all institutions. There are two models that can be used to describe the influence of organized interests in relation to institutions. In the first model, institutions are "static," and interest groups work their way through existing structures to achieve their goals. In the second model, institutions are subject to change. In this model, actors evaluate whether adhering to existing institutional structures is in their interest. At first, they adhere to existing structures, but if the costs of adherence becomes high, "it may be more attractive to consider changing institutions." (Frieden 1991, 26)

The production profile approach may prove fruitful in explaining the politics of Russian economic reform. Like Gourevitch and Frieden, I argue that the impetus for changes in the Russian government's economic program began with a crisis: the collapse of the Soviet state and the economy that supported it. This crisis prompted the Russian government to embark on a "shock therapy" economic reform program and to seek outside support for it, notably from the IMF. However, to gain IMF support, the Russian government had to institute foreign trade and monetary policies that would adversely affect Russia's largest industrial enterprises. This led the managers of these enterprises to form lobbies to press for the slackening of the government's economic reform program. These groups, especially the Russian Union of Industrialists and Entrepreneurs (RUIE), used three tactics to attain their objectives: confrontation, cooperation, and agitation. The first tactic was pursued in the spring of 1992. Boris Yeltsin was pressured into making some concessions at the Sixth Russian Congress of People's Deputies. The second took place in the summer and autumn, and it resulted in an economic program, that was later abandoned, agreeable to both the RUIE and the government. The third took place at the Seventh Russian Congress of People's Deputies, resulting in Yegor Gaidar's ouster from the post of acting Prime Minister and the repeal of some of Boris Yeltsin's appointed powers (Yeltsin's Bid 1992).

No one explanation can account for the pattern of political discourse in Russia. Russia faces a unique revolutionary situation in which other explanations may also apply. However, the pattern of activity in Russian politics in 1992 seems to fit the pattern
elaborated by Jeff Frieden in Debt, Development and Democracy. Economic crises have a positive, negative, or neutral effect on various interests. If the effect is positive or neutral, then we can expect there to be no pressure for changes in government policies. However, if the effects are negative, we can expect those interests negatively impacted to form groups and pressure the government for change. At first, these groups may work within the government structure to influence changes in government policies. If this results in favorable policy changes, then we can expect pressure to recede. However, if the pressure group is unable to bring about favorable policy changes by working within the existing government structure, it may begin to agitate against it. It may seek to change the government's leadership and, in some instances, the structure of the government itself (Frieden 1991, 36–37).

In explaining the politics of Russian economic reform, I will first identify the policy preferences of the individuals and enterprises represented by the Russian Union of Industrialists and Entrepreneurs and how their position in the international and domestic economies determines their policy preferences. I will then examine the social forces with which they combined to form the Civic Union to see whether their joining is explained either by common economic interests or an ability to overcome the problems of collective action. Following this, I will trace how they have attempted to influence policy, first by working with President Yeltsin and then against him.

THE IMF AND RUSSIA'S ECONOMIC REFORM PROGRAM

Russia's economic reform program is driven by domestic and international imperatives. Despite its recent fall from the center of a centuries-old empire and the loss of its superpower status, Russia aspires to the position of a world power. However, its leadership no longer sees Russia as a power whose strength is based upon its military ability, but on the development of its vast "natural, human, and scientific-economic resources." (Kozyrev 1992) Thus, Boris N. Yeltsin has sought to link Russia to the West through the "four D's: democratization, de-globalization, de-ideologization, and de-militarization." (Kozyrev 1992) Russia seeks to join the club of the world's most developed states as a "worthy great power." (Kozyrev, 1992)
To do this Boris Yeltsin first needs to get Russia's domestic house in order, and for this he needs outside assistance. For this reason, he cultivated links with the G-7, who control the international financial institutions whose assistance is indispensable to his plans for economic and political reform. In 1989 Mikhail Gorbachev sought unsuccessfully to win the USSR a seat at the G-7's table. The heads of state "received him only after completing their negotiations," and then only offered vague assurances of help. The reason for the G-7's lukewarm reception was because Gorbachev lacked a "master plan" for Soviet economic rehabilitation and limited his discussion to imprecise declarations of intent." (Timmerman 1992, 176)

Boris Yeltsin and Yegor Gaidar changed this situation. In January 1992, the Russian government embarked on a "shock therapy" program to reform the Russian economy. The basic tenets of this program were outlined in the Russian government's Memorandum on Economic Policy adopted February 27, 1992. They included the liberalization of restrictions on foreign trade, the establishment of ruble convertibility, a balanced budget, and privatization (Economic Policy 1991). This program was clearly designed to win approval from the IMF and open the door for Russian membership in the organization. It met all the IMF's recommendations and within days was submitted to the Fund's Executive Board for consideration. Russian officials expressed the hope that it would "make a good impression on the international economic community" and that "Russia would become a full member of the IMF and the International Bank for Reconstruction and Development." (Russia's Market 1992, 1)

The Yeltsin-Gaidar reforms convinced many in the West that it was time to support Russia's reforms with massive material assistance. Opponents of full Russian membership in the IMF changed their minds. Initially, the Bush administration stood against full membership for Russia and the other former Soviet republics, arguing that it was not the most efficient way to assist their economies. Japan also had announced its opposition. However, in late 1992 the Bush administration changed its tune. The IMF, as a "neutral organization with vast financial resources" was now the organization "best suited . . . to supply expert advice and financial aid to Russia." (Wiley 1991) Most IMF members, including the G-7 countries, also moved to support Russia's application
The adoption of an economic program in accord with IMF requirements and recommendations undoubtedly had a negative impact on a significant portion of Russia's industry. The former Soviet Union was the most protectionist country in the world. Since the end of the New Economic Policy (NEP) in 1929, and certainly since the beginning of the Cold War, Soviet planners concerned themselves with building economic autarky. Izvestia correspondent Otto Latsis (1992b) characterized the system as a "complete life support system." The system not only protected Russia's industries from competition with the West, but provided little incentive for cooperation with it. It was akin to "medieval Japan, which didn't allow foreign ships in or its own ships out." (Latsis 1992b) This inevitably led to the USSR's lag in technological development and its eventual decline in production.

Despite its inability to maintain levels of production and technology comparable to the West and to provide for the majority of the Russian people, there are individuals and groups in Russia who mourn the collapse of the old-style economy and seek its partial restoration. These actors oppose many of the aspects of Yeltsin's economic reform program. Who are they? What are their policy preferences? How are they determined?

The most organized opposition to Yeltsin's "shock therapy" economic reform program comes from an organization called the Russian Union of Industrialists and Entrepreneurs (RUIE). Headed by Arkady Volsky, a former economics advisor to CPSU general secretaries Yuri Andropov and Konstatin Chernenko, this organization represents the managers of Russia's largest industrial enterprises (Hanson and Teague 1992). The RUIE began trying to influence economic reform almost from its inception. In the weeks leading up to the Sixth Congress of People's Deputies in April 1992, it was highly critical of acting Prime Minister Yegor Gaidar. Its members demanded subsidies, tax breaks, and credits to keep them afloat and threatened production shortfalls and unemploy-
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ment if they did not get them. Volsky specified these demands in an interview with *Rabochnaya tribuna* on March 31, 1992. His policy prescriptions included the following: subsidies to support businesses that would otherwise fail, a gradual increase in oil prices over three years, and the establishment of priorities among branches through some sort of centralized supply allocation. Volsky also said that foreign debt should be kept to a minimum, while foreign direct investment should “take the form of natural resource concessions and not of . . . firms’ being allowed to buy enterprises at cut prices.” (Diskin 1992, 3–4)

What determines these policy preferences? As I outlined previously, an actor’s policy preferences can be explained by its position in the international and the domestic economy. Many Russian enterprises face a grave situation as Russia ends sixty years of protection and economic isolation. In a speech before the Congress of the RUIE on November 17, 1992, Volsky noted that if Russia were to open completely to the world market, only 16 percent of the country’s producers could withstand competition. Twenty-six percent would go bankrupt immediately, while the “bulk of the Russian economy”—56 percent of producers—would find themselves in a difficult situation and probably would not survive (The Congress 1992).

If the RUIE’s policy preferences are explained by the weakness of Russian producers in the international economy, perhaps they are also explained by their strength in the domestic economy. All property in the former Soviet Union was ostensibly state-owned. However, many of the RUIE’s members had considerable authority over this property; they had economic decision-making rights that gave them control not only of state property, but of the flow of investment, goods, and financial resources. Leonid Grigoriev calls these rights “ulterior property rights.” They are not property rights in the legal sense, but property rights derived from a position of economic authority (Grigoriev 1992, 201). It is these rights that the RUIE’s members seek to secure in influencing economic reform.

While economic reform threatens these rights, it also provides the RUIE’s members with an opportunity to transform them from “ulterior rights” into legal rights. Already, some managers have succeeded in “privatizing” their enterprises. This is a phenomenon known as spontaneous privatization. Three scenarios for spontaneous privatization were observed in Poland:
1. The director of a State enterprise founds a company with the enterprise's managerial staff or with nomenklatura people from outside the enterprise. They then take advantage of their position and their knowledge about idle production capacities to seize the most profitable orders of the State enterprise on behalf of the company. These orders are then executed using the capital assets and labor of the State enterprise.

2. The most profitable department of State enterprise is liquidated, and in its place a company is set up which, from a technological and organizational point of view, plays the same role as the dissolved department.

3. Joint stock companies are created mixing different types of shareholders: Treasury, State enterprise, their directors and, possibly, their employees, political and social organizations. These hybrid organizations may be an attempt at self-protection against the regulatory policy of the state. Such a company seizes the State enterprise assets at a very low price (usually through artificial bankruptcy). Quite often the director of the enterprise buys shares which, combined with those of the Treasury, give him control of the firm (Grosfeld 1990, 147–148).

Each of these scenarios has occurred to some extent in Russia. For example, Komsomolskaya pravda reported on November 3, 1992 that the mangers of the Kama Automobile Plant (KamAZ) and the Volga Automobile Plant (VAZ) began the process of “converting their enterprises into joint-stock companies.” (Podkopalov 1992, 1) Aleksandr Bekker, a correspondent for Megalopolis-Express, also noted this phenomenon. In an article printed December 2, 1992, he commented that Russia's enterprise managers were engaging in “curious behavior; taking the profits for themselves, while saddling the treasury with debts.” (Bekker 1992, 2) This behavior seems in line with the three scenarios observed in Poland. In his speech to the Seventh Congress of People’s Deputies on December 4, 1992, Yegor Gaidar was critical of such nomenklatura privatizations. He called for limitations on the rights of directors of state property and an end to prikhvatizatsia, the nomenklatura’s seizure of state property (Gaidar 1992).

THE RESPONSE TO ECONOMIC REFORM: THE CIVIC UNION COALITION

Once an actor, or in this instance a group of actors, has determined its policy preferences, it must then identify other social forces with
which to lobby for those preferences. However, what determines the combination of such groups? Again, according to the argument outlined previously, actors may form coalitions either through shared economic interests or through the logic of collective action.

There are a number of industrial lobbies in Russia that represent the interests of enterprise managers. They include the Confederation of Unions of Entrepreneurs of Russia, the All-Russia Federation of Goods Producers, and the RUIE. Shared economic interests are an important factor in the formation of all three of these groups. All three have an interest in prolonging state privileges and subsidies; however, the state treasury “does not have the money for the democratic distribution of privileges ‘to each in equal measure.’” Subsequently, they are divided by industrial sector. The All-Russia Federation represents the “middle class” of Russian managers while the RUIE represents the “generals of the military-industrial complex and the executives of socialist industry’s manufacturing giants.” (Ostapchuk and Mikhailov 1992)

This division may also be explained in part by the logic of collective action. The formation of the All-Russia Federation was precipitated by the formation of another coalition: the Civic Union. The Civic Union was formed on June 21, 1992, and became prominent just prior to the Seventh Congress of People’s Deputies in December 1992. It is an alliance between the RUIE and two populist parties headed by Vice President Aleksandr Rutskoi and Nikolai Travkin: the People’s Party of Free Russia (NPSR) and the Democratic Party of Russia (DPR). The old official trade unions are also members. (Aslund 1992). However, the goods producers were excluded from this coalition. Why? This may be explained by industry structure. The managers of military-industrial and the largest manufacturing enterprises dominate the RUIE. They are able to come together because they are relatively few in number and can thus avoid the “free rider” problem. Also, their concentration permits them to exert political pressure more effectively. According to the logic of collective action, indiscriminately permitting new industries to join the coalition would dilute this concentration and reduce its political influence (Frieden 1991, 24).

It is interesting to note that the two political parties with whom the RUIE allied itself to form Civic Union are not only Russia’s largest political parties, they are the most likely to ensure their members comply with party discipline. Nikolai Travkin’s DPR has taken seriously the “tasks of drawing up a coherent program and
of forcing its members... to adhere to it.” (Teague and Tolz 1992, 7) Again, this shows the RUJE’s sensitivity to avoiding the “free rider” problem.

What other factors account for the RUJE’s alliance with the NPSR and the DPR? There is no doubt that the RUJE’s leaders courted these parties, and the New Generation-New Policy faction, because they control approximately 40 percent of the seats in the Supreme Soviet (Teague and Tolz 1992). But what led these parties to join with the RUJE? The NPSR and the DPR were ardent defenders against executive encroachments on legislative authority in 1992. As reflected in Civic Union’s declaration of principles for collective action, it was here that their interests converged with those of the RUJE: “the preservation of Russia’s integrity as a strong multi-national, democratic state”; opposition to executive attempts to dissolve the legislature; and modifications in the government’s economic reform plans (Teague and Tolz 1992, 4). Prior to this, all three organizations openly professed a commitment to a market economy, albeit a market economy different from that envisioned by Yegor Gaidar. The NPSR expressed support for market reforms, but said it would seek strong social guarantees and “mixed forms of ownership of the means of production.” (Teague and Tolz 1992, 5) The DPR and the New Generation-New Policy faction also articulated support for gradual market reform (“Introducing Civic Union” 1992).

THE RESPONSE TO ECONOMIC REFORM: PRESSURES, POLICY CHANGE, AND GAIDAR’S OUSTER

The agitation for change in the Russian government’s “shock therapy” economic program occurred in three phases in 1992. The first phase began in the period leading up to the meeting of the Sixth Congress of People’s Deputies in April 1992. It was characterized by blunt political pressure and not so subtle threats that the RUJE might collaborate with workers against the government. It ended with the Russian government making some concessions to the industrialists. The second phase began in June 1992 with the founding of the Civic Union. Attempts to work within existing structures and to cooperate with Boris Yeltsin’s government on economic reform marked this phase. It ended in November 1992, when the Civic Union reduced its cooperative efforts to work with the government and began to work against it.
This pattern of activity is somewhat consistent with my argument. Borrowing from Gourevitch and Frieden, I hypothesize that interest group pressure can result in two basic outcomes: policy or leadership change. In the first instance, the actors work through the existing government structures to achieve their objectives. In the second, they agitate against it. However, under what conditions will interest groups choose the latter over the former? In this section, I will attempt to answer this question by examining how Civic Union influenced change in the Russian government's economic reform program and the conditions that led it to seek Yegor Gaidar's ouster at the Seventh Russian Congress of People's Deputies.

The groups that later constituted Civic Union began to press for changes in the government's economic reform program in the spring of 1992. In the weeks preceding the meeting of the Sixth Russian Congress of People's Deputies in April 1992, the RUIE's members demanded subsidies, tax breaks, and credits to enable them to stay in business, and they warned that production shortages and unemployment threatened if they did not get them (Hanson and Teague 1992, 3). In an interview printed in Rabochnaya tribuna March 31, 1992, the RUIE's leader, Arkady Volsky, asserted that Yegor Gaidar's economic reform strategy would cause an economic collapse from which Russia would not recover. He then argued that the government should pursue a "managed" economic reform strategy that would give precedence to state support for selected industries—"in other words, an active industrial policy and subsidies." He also not so subtly threatened that the state enterprise managers could provoke grave unrest (Hanson and Teague 1992, 4).

The RUIE claims to represent the managers of state enterprises that produce 65 percent of Russia's industrial output and employ 20 million people (Diskin 1992, 3-4). Whether or not they could rally their employees against the government is unknown. However, it seems Boris N. Yeltsin took this threat seriously. On April 7, 1992, the second day of the Sixth Congress of People's Deputies, Yeltsin announced some policy changes that might have been concessions to the RUIE. He promised 50 billion rubles in additional credits to enterprises, 70 billion rubles for "investment" in "priority" branches, 42 billion rubles for military conversion, and 90 billion rubles for agriculture and rural infrastructure. This was
in direct conflict with the tight monetary policy established in accordance with IMF recommendations. He also promised to bring more industrialists into the government (Hanson and Teague 1992, 6). Vladimir Shumeiko, Georgii Kizha, and Viktor Chernomyrdin all subsequently received appointments in the cabinet.

In June 1992, the RUIE changed its strategy. Rather than using blunt political pressure to influence policy change, it tried to work with the existing government structures and to cooperate with Boris Yeltsin's government on economic reform. Its first move in working with the existing structures was to gain substantial backing in the Supreme Soviet. It did this by combining with the NPSR, the DPR, and the New Generation-New Policy faction in the Civic Union. By joining with these forces, the RUIE gained access to approximately 40 percent of the seats in the Supreme Soviet.

Civic Union then moved to cooperate with Boris Yeltsin on economic reform. Throughout the autumn of 1992, as the Seventh Russian Congress of People's Deputies approached, the Civic Union presented itself as a centrist coalition and voiced support for Yeltsin's economic reform program. On November 14, 1992 the RUIE held a Congress in Moscow at which it endorsed the Civic Union's economic reform program. This program called for, among other things, the restoration of state orders, price controls on energy and raw materials, and the regulation of wages and wage rates (Lekant 1992, 1). Both Boris N. Yeltsin and Yegor Gaidar addressed the assembled industrialists. Yeltsin remarked that it was time to "give greater attention to industry and support production," and he offered the industrialists a cooperative hand. However, he said he could not countenance proposals, particularly regarding state orders and wage and price controls. Volsky noted that he was particularly impressed with the accommodating tone of the speeches, and hoped that the government and the industrialists could come to some sort of agreement on economic reform (Ostapchuk and Krasnikov 1992).

At Civic Union's initiative, government and Civic Union representatives began consultations on economic reform on November 18, 1992. The ostensible purpose of these consultations was to come to an agreement on the economic reform plans proposed by the government, the Civic Union, and the Supreme Soviet's Supreme Economic Council. Volsky urged that the plans of the latter two be merged with the government's program. The
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...would then be presented to the Supreme Soviet for approval (Ostapchuk and Krasnikov 1992).

On November 26, 1992, Yegor Gaidar submitted the government's economic reform program to the Supreme Soviet. The program was presented as a synthesis of the programs originally proposed by the government and the Civic Union. However, in his speech to the deputies, Gaidar issued a disclaimer: "from the very beginning... the government made the following reservation: 'We are not ready for the unprincipled combining of fundamentally incompatible approaches.'" (Chugayev 1992, 1) This was an announcement that the plan was not entirely like that accepted by the Civic Union. While the program contained some of the phraseology of Civic Union's program (it retained Volsky's favorite about a state regulated transition to a free market), the substance remained essentially Gaidar's. Financial policy remained anti-inflationary and the budget deficit-free. Further, the program promised active support for private enterprise and a "market" approach to the solution of most problems. Volsky immediately accused the government of deception and scheduled a meeting of the Civic Union's political council to determine Civic Union's strategy for the Seventh Congress of Russian People's Deputies (Lantsman and Lekant 1992).

The third phase in the agitation for change in Russia's economic reform program began following Volsky's rejection of the government's economic plan and ended with Yegor Gaidar's ouster as acting Prime Minister. Active agitation against Boris N. Yeltsin's government characterized this phase.

At the Seventh Congress of Russian People's Deputies held in December 1992, the Civic Union worked actively against Boris N. Yeltsin. First, it entered into an agreement with the National Salvation Front, a "red-brown" coalition, to vote for a no confidence motion in the government unless "real reforms and a list of personnel changes" in the cabinet were proposed. They then drew up a list of Ministers they wished to remove. The "candidates for removal" included virtually the entire Cabinet of Ministers, excepting Viktor Chernomyrdin and Georgii Kizha. Topping the list was Foreign Minister Andrei Kozyrev. Others included Deputy Prime Ministers Mikhail Poltaranin, Anatoly Chubais, and Aleksandr Shokhin. All these positions were eventually to be filled by Civic Union's choices. One of Civic Union's members expressed the
coalition’s objectives at the emergency meeting of its political council held on November 28, 1992: to control the government’s program and the “strategic posts” in the Cabinet of Ministers (Krasnikov 1994, 2).

The Seventh Congress of Russian People’s Deputies was marked by a bitter struggle between the executive and legislative branches of the Russian government. Civic Union played an important role in this conflict. By joining an alliance with the “red-brown” factions at the Congress, the Civic Union denied Yeltsin the two-thirds majority he needed to win most votes. Ruslan Khasbulatov, the chairman of the legislative branch and Yeltsin’s prime opponent proposed several constitutional amendments to the Russian Constitution that would limit the executive’s powers. These amendments gave the legislative branch substantial powers to shape the government. They included provisions that would make key government ministers accountable solely to the parliament and give the legislature a role in the formation of executive branch structures (Constitutional Norms 1992, 11). On December 5, 1992, the Congress put these amendments to a vote. Most of the amendments were defeated, but only by a narrow margin. Yeltsin retained control over the make-up of his government, but the Congress won the right to participate in the creation of executive branch structures (Podkopalov 1992).

Following the debate and vote on the amendments, the Congress adopted a resolution calling the government’s progress on economic reform “unsatisfactory.” (Podkopalov 1992) It then turned to the question of the Prime Minister. Boris N. Yeltsin nominated Yegor Gaidar, but was rebuffed by the Congress, which refused to confirm him to the post. On December 14, the process of formally nominating a new Prime Minister began. Among the 18 names that turned up most frequently on everyone’s short list were two of Civic Union’s representatives in the Cabinet of Ministers: Georgii Kizha and Viktor Chernomyrdin. The other candidates were Yuri Skokov, Vladimir Kaddanikov, Vladimir Shumeiko, and Yegor Gaidar. In the first round of voting, Skokov, Chernomyrdin, and Gaidar came out on top. Boris N. Yeltsin then had to nominate one of them to be Prime Minister. Gaidar was untenable. He had already been defeated once, and his nomination would have produced a new round of confrontation with Congress. Skokov, though trusted by Yeltsin, did not have the respect of Gaidar’s
reform team, who said they would not work with him as Prime Minister. Yeltsin was then left with Chernomyrdin, a man "suited to almost everyone," particularly the Civic Union (Akopov 1992).

SUMMARY AND CONCLUSIONS
The case of Russian economic reform provides a good illustration of the connection between crisis, policy debate, and policy or leadership change. It is also a good example of the connection between international and domestic politics. Faced with an unprecedented domestic economic crisis and the need for reforms, Russian President Boris N. Yeltsin looked outside his borders for support. His government adopted an economic program designed to gain Russian membership in the IMF and to integrate Russia into the "community of civilized states." However, powerful industrial managers attacked this economic reform program. These managers formed lobbies and successfully pressed for concessions on economic reform. They also effected a change in the government's leadership, winning the post of Prime Minister at the Seventh Russian Congress of People's Deputies.

What determined their policy preferences? How did they go about influencing policy change? Also, what led them to seek a change in the government's leadership in late 1992? To answer these questions I have used a four part analytic framework developed by Jeffrey Frieden that is similar to the production profile approach articulated by Peter Gourevitch. Using this framework, I examined the policy preferences of the Russian industrialists, the coalitions they formed, and the manner in which they influenced policy changes. I also examined the conditions that led them to seek Yegor Gaidar's ouster as Prime Minister.

From my examination, I have drawn some conclusions about the politics of Russian economic reform and the utility of my analytic framework. First, the pattern of political activity in the Russian Federation in 1992 closely resembles that in other countries that have seen extreme pressures for policy and leadership or regime change in response to economic crisis. In Debt, Development and Democracy, Jeffrey Frieden argues that there may be a strong causal relationship between crises and the generation of such pressures. He lays out a line of causation that can be described as follows: Economic crises have a positive, negative, or neutral effect on various interests. If the effect is negative, those
interests negatively impacted form groups and pressure the government for change. At first, these groups may work within the government structure to influence changes in government polices. If this results in favorable policy changes, then pressure recedes. However, if the pressure group is unable to bring about favorable policy changes by working within the existing government structure, it may begin to agitate against it. It seeks to change the leadership and, sometimes, the regime (Freiden 1991).

This pattern was evident in Russia in 1992, with some differences. The Russian government’s “shock therapy” economic reform program had a negative impact on Russia’s largest industrial enterprises. This led the managers of these enterprises to form lobbies to press for the slackening of reform. They worked to achieve their objectives in three phases: confrontation, cooperation, and, finally, agitation. Ultimately, they sought only to change key ministers. They did not seek to remove Boris Yeltsin or to change the government’s institutional structure. Why? Perhaps it was because of Yeltsin’s popularity as Russia’s first democratically elected leader. The industrialists were not sure they could remove Yeltsin; they were positive they could remove Gaidar. Also, removing Yeltsin may not have been necessary. Yeltsin is no economic expert; he relies upon his advisors for economic information. Thus, perhaps only a change in key ministers was needed to change policy (Teague and Tolz 1992). Also, it seems the industrialists were adept at manipulating government structures, particularly the legislature, to their advantage.

Second, my analytical framework provides a useful template for viewing how coalition politics were active in influencing change in the Russian government’s economic policy and may be a useful tool in the policy-making arena. Success in public policy is often not the result of getting the right answer but of asking the right questions. The four step approach I used focuses on a series of small questions that may easily frame the solution to a larger debate: Who’s interested? What do they want? Why do they want it? How do they intend to get it? These are all strategic questions that are asked in politics when a group is trying to advance its interests. They are useful for identifying allies and opponents and for seeking some consensus on the resolution of a policy problem.

I do not suggest that there are no other, or even more useful ways, of approaching questions of crisis, politics, and policy
change or that other approaches have no policy relevance, particularly in the case of the former Soviet Union. Further research has indicated that it might also be fruitful to examine the politics of economic reform within the context of the struggle between Boris N. Yeltsin and the Russian parliament over a new constitution. Following the events of December 1992, the Russian government's "shock therapy" program became increasingly enmeshed in this conflict (Harris). In 1993, economic reform served as a lightening rod for confrontation between Boris N. Yeltsin and his erstwhile allies in the White House. Orthodox Communists and nationalist deputies continued to call for the return of price controls, while Vice President Aleksandr Rutskoi and other Yeltsin opponents charged that the government's economic reforms "ignored the needs of the Russian people... and enriched only a tiny speculative class." (Harris) In March 1993, an extraordinary session of the Congress of Peoples' Deputies attempted to impeach Boris Yeltsin. Failing in this endeavor, the Congress eliminated questions on a new constitution from the ballot for the April 25th referendum. They drew up new questions. Among those heading the list was the following: "Do you approve of the socio-economic policy implemented by the President and government since 1992?" (Harris) Viewed in this context, policy changes in the government's economic reform program are less a function of interest group pressures than they are part of a larger struggle over issues of legitimacy and authority.

My research for this paper also suggests that an epistemic approach may also explain the relationship in Russia between crisis and policy change. This may particularly be the case following the post-election cabinet reformation, which witnessed the departure of leading economic reformers from the government (Ershov 1994). As noted earlier, because Yeltsin is no economic expert, he relies upon his advisors for economic information, perhaps only a change in key ministers was needed to change policy. However, such an approach may focus only on the decision-makers and their immediate advisors. It may ignore the changes in Russian society that have occurred over the past three years. Russia today has a relatively open political system in which a number of interests can influence government policy. However, I believe the approach I use readily answers the questions of how interests take advantage of this new openness.
It also seeks to get at the nexus of international and domestic political interaction. In this case, the Russian government adopted an economic policy in accord with IMF recommendations. This policy had a significant impact on the political discourse within the Russian Federation in 1992, and drove a number of important economic actors to form coalitions and pressure the government for policy change. The impact of IMF requirements, while somewhat less important, was no less evident in 1993. In order to maintain access to IMF funds, the Russian government must be able to conduct its monetary and fiscal policy in accordance with IMF requirements. During 1992, these policies were consistently undermined by a parliament which had control over both the state budget and the state bank. The new constitution adopted in the December 12th referendum, however, removes both of these responsibilities from the legislature and places them, respectively, within the hands of the cabinet and the President. Further, Article 75(2) stipulates that "protecting the ruble and ensuring its stability is the basic function of the Central Bank of the Russian Federation, a function that it performs independently of other bodies of state power." (Constitution 1993)

Russia's political and economic crisis will continue to be of concern to politicians and policy-makers throughout the world. Over the past three years, Russia has suffered through intense political and economic hardship and has thus far avoided a much predicted social explosion. Will this continue to be the case? This question cannot readily be answered. However, the history of IMF intervention in the Third World suggests that politicians and policy-makers need to think systematically about the consequences of their decisions.

Notes
1 For a detailed description of the IMF's membership conditions and the membership application process see Primorac 1991.
2 Offe's model suggests links of upward determination: the "normal politics" carried out at the third level are planted in the identities and constitutions of the first and second levels.
3 These recommendations were "designed with the cooperation of the Russian government" and are "meant to be an acceptable and practical solution to the conversion from communism to capitalism." (Wiley 1992).
4 The Civic Union coalition splintered following the events of October 1993.
Former Vice President Rutskoi was arrested for his role in the uprising against Boris Yeltsin. In the December 12, 1994 elections, both the DPR and the Civic Union performed poorly, winning, respectively, only 5.50 percent and 1.95 percent of the vote (Figures 1993).

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EXTRADITION OF THE LOCKERBIE SUSPECTS: A PARADIGM OF THE NEED FOR A NEW MULTILATERAL APPROACH

Gregory S. McCue

This article traces the diplomatic and legal issues raised by the 1988 bombing of Pan Am flight #103 over Lockerbie, Scotland. It outlines the investigation, subsequent indictments, and vain attempts at extraditing the suspects through United Nations Security Council action. The author suggests that the course of action chosen by the United States and the United Kingdom, while perhaps necessary due to the underdeveloped nature of extradition law, creates potential risks for international criminal prosecution and the Security Council generally. He therefore outlines a proposal for a new Commission of the Security Council to depoliticize international terrorist extradition, enforce currently existing international criminal norms, and strengthen the international system for future enforcement.

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The U.N. Security Council did not decide that the Libyans should be handed over. There is nothing like that. . . . The memorandum contains the handing over, but this is the demand of the [United States, Britain, and France] and not the demand of the U.N. Security Council. The U.N. Security Council says that Libya should implement this memorandum, but it specified a proviso, it said [Libya should implement] the legal investigations. It did not say [implement] the handing over. Therefore there is no resolution which commits Libya to handing over . . . if we feel in the end we are going to lose, we will burn [our] oil for good. [emphasis added]

Colonel Mu'ammar al-Qadhafi

September 1, 1993

Colonel Qadhafi's incendiary threat may simply be another stalling tactic in his two-year campaign to avoid a trial for the two Libyans accused of destroying Pan Am flight #103 over Lockerbie, Scotland in 1988. However, his legal reasoning is not without merit. Generally, there is no rule of international law requiring Libya to turn over its citizens for trial in another country. Only by acting under its powers to protect international peace and security, and just days before a ruling on the issue by the International Court of Justice (I.C.J.), has the United Nations Security Council changed the legal result.

Through the Security Council, the United States and the United Kingdom, with the help of France, aggrieved by a later bombing, have trumped the international law of extradition in an attempt to force Libya to send the accused to trial in the West. As of this writing, the suspects remain in Tripoli and the parties appear to be deadlocked. Regardless of the final outcome, these tactics risk endangering future attempts to bring international terrorists to justice by delegitimizing the Security Council and hindering effective international criminal prosecution.

This paper will argue that it is in the best interests of all states to support the creation of a Commission of the Security Council on Terrorism and Extradition. This Commission would evaluate whether states fulfill their duties under international criminal law and thereby depoliticize similar extradition cases in the future. To ground this suggestion, this paper will proceed in four parts. First, it will outline the events that have led up to the current stalemate between the United States, the United Kingdom, and France on the one hand and Libya on the other. Second, it will show the legal
underpinnings of Libya’s position that it is under no duty to extradite, and the West’s belief to the contrary. Third, this paper will explain why Western tactics set a dangerous precedent for international criminal enforcement. Finally, this paper will outline a new U.N. Commission, crafted to maximize the likelihood that this machinery is not only accepted but effective in bringing future international terrorists to justice.

THE EVENTS TO DATE

On December 21, 1988, Pan American flight #103 left Heathrow Airport for New York. Most of the passengers were American students and military personnel returning for the holidays. Thirty minutes after takeoff, the plane exploded over Lockerbie, Scotland. All 259 people aboard and 11 people on the ground were killed. Baggage was discovered up to 100 miles away (Jury 1993).

The ensuing investigation involved Scottish police, the F.B.I., French investigators, and 15,000 statements in over 70 countries. Officials in the United States and Britain initially considered Syrian, Iranian, and Palestinian terrorists as likely suspects. However, when forensic scientists discovered two fragments of circuit board among the wreckage, each smaller than a fingernail, the trail pointed towards Libya. One of the fragments was part of a timer made in Switzerland for Libyan intelligence. The other was found embedded in a piece of cloth manufactured exclusively in Malta. Those clothes were delivered to a small boutique in Malta whose owner remembered selling a “random bundle of odd clothes to a Libyan less than a month before the Lockerbie bombing.” (Seper and Bedard 1991) Further checking showed that an unaccompanied, brown Samsonite suitcase arrived at Frankfurt on December 20 from Malta and was transferred to Pan Am #103.

On November 11, 1991, the United States and Britain indicted and issued warrants for the arrest of Abdel Baset Ali Mohammad al-Megrahi and Al Amin Khalifa Fhimah for the Lockerbie bombing. They were identified in the indictments as officials of Libyan Arab Airlines and Libya’s intelligence organization.

On November 27, 1991, the United States and the United Kingdom issued a joint declaration calling for Libya to accept full responsibility for the bombing. The statement also demanded that Libya surrender for trial those charged with the crime, allow full access to all witnesses and documents, and immediately pay appropriate compensation. Although the statement added that
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America and Britain "expected Libya to comply promptly and in full," it set no deadline or consequences for Libyan refusal (Ostrow and Jehl 1991).

Colonel Qadhafi immediately rejected the extradition demand, saying that "Libyan law like the law of any other country, does not permit the delivery to American, English and French Authorities of Libyan citizens suspected of carrying out the Lockerbie bombing." He did, however, agree to "institute proceedings against the suspects and requested assistance from United States and United Kingdom investigators. Libya also offered an opportunity for observers from the two countries to be present at the proceedings. These requests were apparently ignored." (McGinley 1992, 579).

U.N. and I.C.J. Involvement

"Neither the U.S. nor U.K. has an extradition treaty with Libya and accepted international law is to the effect that there is no duty to extradite without some form of agreement between the requesting and requested states." (Gilbert 1992, 318) Thus, to obtain the suspects for trial, the United States and the United Kingdom decided to go outside traditional bilateral extradition law and work through the U.N. The Resolutions "marked the first time the United Nations ever ordered a State to surrender its nationals to face trial in another country with the threat of universal sanctions for failing to comply with the order." (Joyner and Rothbaum 1993, 228)

The First Two Security Council Resolutions

On January 21, 1992, the U.N. Security Council adopted Resolution 731. This Resolution incorporated the November 27, 1991 declarations by the United States and Great Britain and a French request to the Libyan authorities concerning the 1989 bombing of U.T.A. Flight 772 over Niger. The Resolution "deplore[d] the fact that the Libyan Government has not yet responded effectively to the above requests to cooperate fully in establishing responsibility for" the two bombings. It also "urge[d] the Libyan government to provide a full and effective response" and requested the Secretary-General to seek Libyan cooperation. The Resolution contained no sanctions or deadlines.

Although the Resolution was adopted unanimously, nonaligned countries then on the Security Council (including Morocco, Cape Verde, India, and Zimbabwe) expressed misgivings about Resolution 731 (Gilbert 1992). They argued that the Resolution constituted
too great an interference in Libya's internal affairs. The Arab League passed a resolution expressing its support for Libya and calling for the creation of a joint commission of the U.N. and the League to mediate the dispute. Some commentators posited that the Resolution showed "the permanent powers using the Council for [their] own limited ends." (Gilbert 1992)

Libya's formal response maintained that its domestic law prohibited the extradition of Libyan citizens. On March 3, 1992, Libya filed two applications with the International Court of Justice under the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (the Montreal Convention). Libya relied on Article 14(1) of the Convention which states that when negotiations and attempts at arbitration are unsuccessful, the Court has jurisdiction to mediate the dispute. The Court heard the matter on the 26th and 28th of March but did not rule until April 14, 1992. In the intervening weeks, Libya's failure to capitulate prompted a second Resolution.

On March 31, 1992, the Security Council passed Resolution 748 reaffirming that Article Two, paragraph four of the U.N. Charter prohibited states from participating in terrorists acts. Furthermore, the Council determined under Chapter VII that "the [Libyan Government's] continued failure to respond fully to the requests in Resolution 731 'constitute[d] a threat to international peace and security.'" This Resolution was adopted with only ten votes and five abstentions, including China (Lowe 1992, 409).

The Resolution listed binding sanctions that would apply to Libya on April 15, 1992, if it did not comply with the American, British, and French demands incorporated into Resolution 731. These sanctions included prohibitions of interactions with Libya in the areas of air traffic, aircraft trade, arms sales, and military advice, as well as a reduction of diplomatic missions in Libya and the prevention of any remaining operations of Libyan Airlines' offices around the world.

**The I.C.J Rulings**

The day before Resolution 748 imposed sanctions, the World Court released its judgement on Libya's two applications. The Court held that the Security Council action trumped international customary and treaty law and there would be no interim measures to forestall sanctions action against Libya. The Court ruled:
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... both Libya and the United States, as Members of the United Nations, are obliged to accept and carry out the decisions of the Security Council in accordance with Article 25 of the Charter; ... the Court ... considers that prima facie this obligation extends to the decision contained in Resolution 748 (1992); and ... in accordance with Article 103 of the Charter, the obligations of the parties [under the Charter] prevail over their obligations under any other international agreement, including the Montreal Convention. Both cases were decided by votes of 11 to five.

The Libyan Diplomatic Response

After its defeat in the World Court, Libya mounted a vigorous campaign of delay. Libya made it known that the two accused were under “house arrest,” (Walker and Evans 1993) and that the Libyan General People’s Congress had passed a resolution in June 1992 approving of the surrender of the suspects (McGinley 1992, 581). Libya hired a small army of lobbyists in the United States to advocate its position and make soothing overtures to the U.S. government on diverse issues such as investment in Libya and even recognition of Israel. Libyan representatives in the United States approached victims’ families with a deal to hand the suspects over to any neutral country of the families’ choice, except the United States or the United Kingdom (Blum 1993). France was offered valuable oil concessions. To soften the U.K.’s position, Libya reportedly “stopped the arming [of the Irish Republican Army] and [supplied] Britain with details of previous weapons shipments” and the names of I.R.A. operatives trained in Libyan camps (McGinley 1992, 581). The Libyan state-owned Arab Foreign Investment Company even offered to fund a faltering Scottish coal mine (Buxton 1993).

In September 1993, the Libyan government delivered a 40-page letter to U.N. Secretary-General Boutros Boutros-Ghali setting out 17 demands for the surrender of the suspects (Leopold 1993). The letter raised procedural questions regarding a potential trial in Scotland, such as how to ensure an impartial jury, what would result in the case of a hung jury, and whether the accused would be permitted counsel during all questioning. Not surprisingly, the letter also contained conditions aimed at protecting the Libyan government and gaining concessions from the West. Some of the terms were based on the belief held by Qadhafi advisor Major
Jaloud and others that after a conviction, the West would seek extradition of Libyan superiors suspected to have orchestrated the bombing. *The Times* reported Jaloud as Libya's number two official and head of the same family-clan as the suspects. The demands attempted to nullify French interests in the Security Council Resolutions by ignoring the U.T.A. bombing. Finally, one condition was aimed at combating the U.S. and British demands for compensation incorporated into the Security Council Resolutions. The United States and the United Kingdom insisted that the issue of compensation be addressed before extradition, whereas the suspects' Libyan lawyer argued that this would have prejudged the guilt of his clients.

**The Third Resolution**

After a year with Resolution 748 sanctions in place, not only had there been no practical movement towards extradition by the suspects' representatives or the Libyan government, there was even some doubt as to whether the sanctions were having any bite. In September 1993, London's *The Times* observed that "[flood is plentiful and cheap and Libya's generous welfare state remains broadly intact." By November, Secretary-General Boutros Boutros-Ghali said that even with his "endless hours" of negotiations, "this is a case where there is total failure." (Lippman 1993)

Therefore, the United States and the United Kingdom announced that they were drafting a third resolution to be voted on by October 1, 1993 which would impose a new set of sanctions if the suspects were not surrendered by that date. The deadline passed without an attempt for a vote due to Libya's diplomatic efforts, to frequent conciliatory statements from the accused, and to reticence among nonaligned and European nations. Moreover, Russia threatened to use its Council veto to block the Resolution since it contained a freeze of Libyan assets abroad (Preston 1993). The Russian delegation contended that the Resolution would hinder their efforts to collect almost $4 billion owed to them by Libya for arms shipments.

Finally, on November 11, 1993, Security Council Resolution 833 passed by a vote of 11-0 with four abstentions. The new Resolution increased the pressure on Libya without taking drastic action such as a full oil trade or asset freeze. Resolution 833:

(1) Gave a grace period until December 1 before the new sanctions took effect.
(2) Freezes Libya's financial assets abroad after the resolution enters into force, except for funds derived from oil, natural gas, or agricultural exports.

(3) Prohibits the sale of oil-related equipment for oil refining and transport but not oil production equipment, according to a detailed list.

(4) Closes loopholes in the air embargo, such as immediate and complete closure of all Libya airline offices.

(5) Promises to suspend all sanctions once the accused have surrendered for trial in the United States or the United Kingdom.

(6) Requires compliance with French demands for information on the U.T.A. bombing, agreement to compensation provisions, and renunciation of ties to terrorists.

(7) Permits reimposition of sanctions 90 days after the accused are surrendered if all demands are not met.

The Resolution represents many diplomatic compromises. The delayed commencement date was a further concession to Russia's debt concerns. Nonetheless, Russian officials have expressed disappointment at the fact that the sanctions do not ensure Libyan arms payments but permit European companies to continue to explore for and trade in Libyan oil. According to Reuters, these sanctions may not hamper Libya since the Resolution was threatened for months, allowing Tripoli to stockpile equipment and to move an estimated $6.5 billion into Third World banks. Nevertheless, U.S. officials say the equipment trade and assets freeze will hurt Libya since they cannot have stockpiled an infinite amount of parts and their postresolution assets must be put in special accounts.

As of this writing, the December 1, 1993 deadline has come and gone and the new sanctions are in place with no apparent movement in Tripoli. The accused continue to assert their innocence and belief that they cannot get a fair trial in the United States or the United Kingdom because of the "false accusations and lies" against them in the Western press. Their attorneys continue to press for a trial in Switzerland, which the U.S., U.K. and Swiss governments will not accept. Libya still has the support of the Arab League and a few others. In November 1993, the British Broadcasting Company reported one Libyan official as saying his nation "will not hand over the suspects under any conditions, even if it were threatened with a nuclear bomb."
SECURITY COUNCIL ACTION ALTERS LEGAL RESULT

Before the Security Council's Resolutions, there was no requirement under international law that Libya extradite the accused. As a signatory to the Montreal Convention, Libya was obliged only to choose between extradition and a good faith trial in its own courts. By acting under Chapter VII of the U.N. Charter, the Security Council made binding the American, British, and French demands, including the demand for extradition. This part of the paper will detail the legal reasons behind the I.C.J. and Security Council's belief that Libya must now extradite the suspects. The following section will argue that this is a dangerous precedent for both institutions.

Legal Arguments Against Extradition

A number of commentators have argued that Libya is well within its international legal rights to refuse extradition. Recently, Geoff Simons, author of *Libya: The Struggle for Survival*, noted in a letter to the London *Independent* that "Libya has fully discharged its obligations . . . there is no obligation whatever for Libya to extradite its two nationals to either the [United States or the United Kingdom . . . Both states] effectively violated most of the provisions of the Montreal Convention." If the I.C.J and the Security Council are correct, however, this situation has changed.

No Extradition of Nationals

There is no obligation under international law for a state to extradite or prosecute any alleged criminals hiding within its territory (Joyner and Rothbaum 1993, 240). As stated in the Joint Declaration of Judges Evensen, Tarassov, Guillaume, and Aguilar Mawdsley appended to the Order of the Court in *Libya v. U.S.*:

In so far as general international law is concerned, extradition is a sovereign decision of the requested State, which is never under an obligation to carry it out. Moreover, in general international law, there is no obligation to prosecute in default of extradition. Although since the days of Covarruvias and Grotius such a formula has been advocated by some legal scholars, it has never been part of positive law. This being so, every State is at liberty to request extradition and every State is free to refuse it. Should it refuse, a State is not obliged to prosecute.

Thus, "the international extradition process today operates almost entirely through bilateral treaties and a few multilateral conven-
tions that prescribe the methods for requesting and surrendering suspects." (Joyner and Rothbaum 1993, 232) Neither the United States nor the United Kingdom have such a bilateral treaty with Libya.

Moreover, most civil law states totally prohibit the extradition of their own nationals—Libya is one such state, and extradition is specifically prohibited in the Libyan Criminal and Procedural Codes. The United States and the United Kingdom limit extradition to those countries and crimes specifically codified in a treaty (Lambert 1990, 238). However, as the Joint Declaration notes, "[t]en international Conventions adopted under the aegis of the United Nations or the specialized agencies since 1970 have nevertheless modified the legal situation between the parties to those conventions." Libya, the United States, and the United Kingdom are all signatories to the Montreal Convention, which changes the customary legal relationship among the parties.

The Montreal Convention and aut dedere aut judicare

The Montreal Convention, the Tokyo Convention on jurisdiction, and the Hague Convention on hijacking make up a triad of pacts designed to protect aircraft. The Montreal Convention’s first article lists the criminal offenses directly on point in the Lockerbie bombing:

Any person commits an offense if he . . . intentionally:

(b) destroys an aircraft in service or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its safety in flight; or

(c) places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or to cause damage to it which is likely to endanger its safety in flight.

Paragraph Two of the convention criminalizes the attempt to do any of the preceding offenses. Article Five mandates that each contracting state take measures to establish jurisdiction over alleged offenders if found within that state’s territory.

Articles Seven and Eight provide the grounds for extradition. Article Seven includes the principle of aut dedere aut judicare.

The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offense was committed
in its territory, to submit the case to its competent authorities for the purposes of prosecution. Those authorities shall take their decisions in the same manner as in the case of an ordinary offense of a serious nature under the law of that State. [emphasis added]

This principle reflects the fact that it is not enough for states to establish jurisdiction over offenders. Conventions “must also require them to actually deal with those persons.” (Lambert 1990, 187) Thus, as the International Law Commission explained in its commentary to the identical language in the New York Convention on Internationally Protected Persons, the principle implies no specific obligation, only the duty to “carry out one of the two alternatives.” (Lambert 1990, 193) The obligation to extradite is conditional and only controlling “in the event that a State does not, for whatever reason, extradite.”

To assist states that require specific domestic legislation for extradition, Article eight of the Montreal Convention includes the following non-binding provision:

(2) If a Contracting State which makes extradition conditional on the existence of a treaty receives a request for extradition from another Contracting State with which it has no extradition treaty, it may at its option consider this convention as the legal basis for extradition in respect of the offenses. Extradition shall be subject to the other conditions provided by the law of the requested state.

(3) Contracting States which do not make extradition conditional on the existence of a treaty shall recognize the offenses as extraditable offenses between themselves subject to the conditions provided by the law of the requested state. [emphasis added]

This provision would allow the United States and the United Kingdom to choose to accept extradition if Libya had chosen to extradite. However, the use of the treaty as the grounds for extradition is “at the option of the requested state.” (Lambert 1990, 238)

At least two commentators have pointed out that “the United States and Britain may have decided not to use this provision of the Montreal Convention because of its optional nature.” (Joyner and Rothbaum 1993, 251) In this scenario, Libya could simply have chosen to investigate and declare that there was insufficient evidence, or could have held a sham trial. In the case of a sham trial, proving a miscarriage of justice would be difficult. Furthermore, the United States and the United Kingdom may have
Extradition of the Lockerbie Suspects avoided this regime because it mandates that in this case, Libyan law would control. More disturbing for the requesting states is the possibility that a good faith trial in Libya might result in acquittal since the intervening years have yielded a few alternate theories of responsibility. Nonetheless, under the Montreal Treaty and customary international law, Libya may legally choose not to extradite and then, bound by Article Seven, to prosecute the suspects in its own territory.

The International Court of Justice

This case would seem to be one in which the rights of States parties to the Montreal Convention are in dispute. Libya claims that it has the right to refuse extradition and prosecute, while the United States and the United Kingdom argue “that Libya had no rights that could be protected by interim measures since the Montreal Convention imposed obligations but not rights.” (McGinley 1992, 586) Concerning a dispute, the Montreal Convention mandates:

Any dispute between two or more Contracting States concerning the interpretation or application of this convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for Arbitration the Parties are unable to agree on the organization of arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court. [emphasis added]

Relying on this provision, Libya filed two applications with the I.C.J. requesting the Court to rule on the legality of the action of the respective parties and to enjoin the United States and the United Kingdom from further infringing on Libyan rights. Libya argued that the action by the United States and the United Kingdom had shown their unwillingness to negotiate and thus it could proceed directly to litigation.

The Court held that, since all the parties were members of the United Nations: (1) they were obliged to carry out the decisions of the Security Council under Article 25 of the Charter; (2) the Security Council’s Resolution prevailed over the Montreal Convention under Article 103; and (3) Resolution 748 radically changed the legal rights existing before the Resolution. Therefore, “whatever the situation previous to [Resolution 748], the rights claimed by
Libya under the Montreal Convention cannot now be considered appropriate for protection by the indication of provisional measures."

The Court made clear that it had not been "called upon to determine any other questions" but the imposition of provisional measures under Article 41 of its statute. Since the court was not being called upon to determine the legal effect of Resolution 748, it would be considered *prima facie* valid and "the measures requested by Libya would be likely to impair the rights which appear *prima facie* to be enjoyed by the [United States and the United Kingdom]."

The ruling of the I.C.J. means that the United States and the United Kingdom have managed to change international customary and treaty law through Security Council action. Given the barbaric nature of the crime at issue, these two states have a strong interest in seeing the accused extradited for trial. However, there are many other possible situations where nations may wish to extradite criminals but do not have the power of a permanent seat on the Security Council. One frequently made suggestion is for an international criminal tribunal to be created to try such criminals. However, the preemptive action by the United States and the United Kingdom here indicates that the most powerful states are loath to give up decision-making power. The next section of this paper will describe how the Security Council action may be destabilizing to international criminal extradition and prosecution. The following section will outline a proposal to increase the short-term likelihood of breaking the deadlock in this case and the long-term likelihood of an effective international criminal prosecution regime.

**DESTABILIZING EFFECTS OF SECURITY COUNCIL RESOLUTIONS**

Marc Weller, research fellow in international law at St. Catherine's College, Cambridge, concluded a detailed analysis [of the Lockerbie case] with the observation that Libya has responded "in accordance with international legal requirements" and that the U.S. and U.K. governments "may well have contributed to, or brought about, an abuse of rights by the Security Council." (Simons 1993)

The first part of this section will examine the dissenting opinions from the I.C.J.'s decision on the Lockerbie case to indicate the legal problems and debilitating effects on the Court itself arising from
Extradition of the Lockerbie Suspects

the Security Council’s foray into extradition. Second, this section will argue that the Security Council’s action thus far has not been without political and diplomatic cost and that the opposition to such action in the future is rising.

The I.C.J. Dissenting Opinions

The Security Council action and the Court’s reliance on Resolution 748 troubled many of the judges, including some in the majority (McGinley 1992, 583). Many of the dissenters believed that the Court “could and should indicate interim measures despite Resolution 748.” (McGinley 1992, 584)

The dissenting opinion of Judge Bedjaoui was the most critical of the Security Council. He pointed out that this was not “the first time that the two principle organs of the United Nations simultaneously exercised, with respect to a single case, their respective competencies under the Charter,” but that it was the first consideration of “the question of the possible inconsistency between the decisions of the two organs and how to deal with so delicate a situation.”

Bedjaoui thought that rather than defer entirely to the admittedly binding nature of Resolution 748, the Court should still feel free to adopt provisional measures while recognizing that any possible “effects [of those measures] have ceased to exist.” Moreover, he thought it would have been more appropriate for the Court to adopt measures different from those applied for by Libya, which it thought would advance the situation. Finally, in a footnote, the judge noted that his analysis would change if there was strong indication that the Security Council had acted with the intent of depriving the Court of the opportunity to exercise “the Judicial function with which it has been invested by the Charter.” (McGinley 1992, 591) In such a case, “one might be led to ponder seriously over the lawfulness of that Resolution.”

Judges Weeramantry, Ranjeva, and Ajibola similarly believed that the Court could not ignore the binding nature of Resolution 742, as enacted under Chapter VII. They also argued for a dynamic mediating role for the Court that could have come from the indication of some other provisional measures than those applied for by Libya. They believed this could have helped move the parties closer to agreement while not allowing the Charter’s political organ to eclipse their judicial function.
Ad-hoc Judge El-Kosheri was the only judge who thought Resolution 748 had no binding force. He argued that the I.C.J. has the authority to decide whether any U.N action had been taken in conformity with the Charter. He stressed the point that while "doubtless, the Court itself, the principal judicial organ of the United Nations was not the target of the Council's haste" to pass a resolution, they did intend to "put the maximum pressure possible on Libya to forfeit its claim to invoke sovereign rights." He found this a disturbing precedent since

the entire Organization is based on the principle of the sovereign equality of all its Members, and . . . domestic jurisdiction in matters such as extradition imposes on all other states, as well as the principle organs of the [U.N.], an obligation to respect such inherent rights, unless the Court decides that such exercise is contrary to international law.

Thus, El-Kosheri believed that since Libya has the sovereign right to refuse extradition, the U.N. must not force extradition to the requesting states where the likelihood of a fair trial was in doubt. He would have ordered measures including relocation of the accused to a neutral country to ensure a fair trial.

**Political/Diplomatic Discontents**

Several countries, including some crucial allies for the United States, the United Kingdom, and France, are troubled by the use of the Security Council in this case. Some nations argue that it is simply inappropriate for the Security Council to override sovereignty and customary international law. Others place their oil needs above international criminal enforcement of a crime not in their territory and not involving their citizens. This section of the paper will show the linkages that cloud the issue in the absence of a narrow determination of whether Libya has fulfilled its obligations under the Montreal Convention. The next section will outline a mechanism to ensure the proper focus in the future.

Several Muslim states have expressed their concern about the sanctions against Libya, especially with their perception that Western states have done nothing to help Bosnian Muslims. In September 1993, the French news agency *InterPresse* reported that the 53 States of the Islamic Conference had expressed their support for Libya, much like the Arab League has done repeatedly. Also, it quoted Tunisian Foreign Minister Habib bin Yahia expressing "a
source of deep concern’ in Islamic states from “the threat of oil sanctions looming over Libya if it does not comply with U.S. and British demands to extradite the two suspects.”

However, it is not simple solidarity among Muslim states driving the concern that the United States, the United Kingdom, and France are using the Council for their own narrow devices. As mentioned above, non-aligned states in the Security Council were reticent about Resolution 731, although they voted for it. The harsher tone of Resolution 748, however, prompted those same states (Morocco, Cape Verde, India, and Zimbabwe) to abstain from the vote and issue strong statements urging that the I.C.J. should rule before a Security Council vote. The President of the Security Council at the time of the vote was Zimbabwe and in the record of the debate, its representative Mr. Mumbengegwi said:

the Charter provides that disputes of a legal nature should, as a general rule, be referred by the parties to the International Court of Justice... By taking the Chapter VII route while this case is still pending before the [I.C.J.], the Security Council is risking a major institutional crisis. Such an institutional crisis, which is clearly avoidable, would not only undermine the prestige, credibility and integrity of the entire organization, but would also sap international confidence in the Security Council’s capacity to execute, in a judicious manner, its mandate... in the Charter. We are convinced that it would have been in the best interests of international tidiness for the Security Council to await the [I.C.J.]. [emphasis added]

On October 2, 1993, InterPresse quoted Terry Gill, an international law professor at the University of Utrecht, who said:

There are a number of non-aligned countries that may not want to set a precedent regarding the independence of their own judiciary. There is a misconception that the Security Council is ruled by the U.S. and its allies. But though they have a lot of influence, it is not clear cut... [A] decision [for] sanctions would tend to make the Security Council appear more of a Western club than it already is.

Perhaps most disturbing for the United States is that criticism emanates not only from Muslim or non-aligned states, but from powerful European allies. At the time of the vote, the Washington Post reported that “European and other trading partners of Libya... resisted the proposed [third resolution] measures, which include a freeze on Libya’s financial assets abroad and a ban on sales of oil production equipment.” While the United States
already boycotts Libyan oil, some commentators have noticed a reluctance to push for further sanctions among Italy, Germany, Spain, and even France, all of whom rely heavily on Libyan oil. Russia stalled the progress towards Resolution 833 for months with a threatened veto because of its concern over Libya’s military debt. Furthermore, there is some evidence that even the United Kingdom may not wish to push sanctions too far “in part from hopes of talks with Libya about arms supplies to the I.R.A.” (Black 1993)

Thus, the United States, the United Kingdom, and France have blocked the I.C.J.’s role in international criminal law, even where it is specifically mandated by the Montreal Convention. This makes it less likely that the I.C.J. or any other court will have criminal jurisdiction in the near future. States are not likely to agree to an expansion of the I.C.J.’s jurisdiction or the creation of another court with similar jurisdiction if they believe the Security Council will simply override the Court. Also, by giving the impression that the Council is a Western club, the Council may lose the credibility it needs to proceed in this case and to exercise the executive function in the future. The next section suggests there is a way to reverse both these trends.

**THE NEED FOR A NEW APPROACH**

Not all Libyan officials have painted the Lockerbie standoff in combative terms. In a letter to the *International Herald Tribune*, Saad Mujber, the Libyan Ambassador to France, wrote:

> A neutral investigation and, if warranted, a neutral trial, is the only alternative to the cruel and unjust suffering inflicted by international sanctions on the Libyan people, and to the agony of families of the disaster victims who have every right to know the truth without further delay . . . Let us find a fair way to solve the mystery of this monstrous crime together and seek the help of common friends to see that neither a “whitewash” nor “lynching” result from a trial conducted in a neutral venue and in a neutral spirit.

The Ambassador points in a direction similar to the proposal here. Enforcement of international criminal norms should include an objective determination of questions of fact and law. The inclusion of a neutral judicial review as the basis for Security Council enforcement would counter the perception that the great powers simply use the Council for their own political ends. It would also be a step towards rebuilding confidence in the possibility of a
future international criminal court since the Security Council’s seeming contempt for the I.C.J. has generated so much skepticism in the international system. This section argues that an independent Security Council Commission on the Prosecution of International Terrorism should be created to inform Security Council action. Security Council action based on such a Commission will make prosecution more likely while at the same time generating, rather than destabilizing, confidence and support in international criminal law mechanisms.

**Why Not a New International Criminal Court?**

In the absence of an international court with criminal jurisdiction, the Westphalian system dictates that individual states prosecute offenses against international law.

The inability of the world community to reach a political consensus on the creation of an international criminal court or on the development of alternative mechanisms that would have the features of a direct enforcement system has led to the furthering of the indirect enforcement system. This explains why an increasing number of conventions dealing with international crimes or multilateral and bilateral conventions relating to transnational and common crimes have adopted the conceptual formula _aut dedere aut judicare_ (Bassiouni 1986, 7). [emphasis added]

Unfortunately, the practice of using national enforcement to prosecute international criminal norms has an abysmal record over the past twenty-five years.

Between 1970 and 1975, at least 267 suspected terrorists were apprehended. Of these, fifty were convicted and served sentences, thirty-nine were freed without punishment, fifty-eight were given safe conduct to another country, and sixteen were released following demands by other terrorists. *None, however, were extradited.* Similarly, of the 150 accused Palestinian terrorists captured between 1971 and 1976, 141 were released without punishment. Furthermore, *of the 353 airplane hijackers apprehended between 1977 to 1982, only one was extradited* (Joyner and Rothbaum 1993, 231-2). [emphasis added]

The most effective way to prosecute criminals would be to establish a court with compulsory jurisdiction. This could be accomplished by creating a new tribunal, or extending the jurisdiction of the I.C.J. to criminal matters. While either plan
would remove some of the political misgivings present in the Lockerbie case, both are unrealistic to expect in the near future, primarily because there is no international political will for an independent international criminal body. Indeed, it took violence on a scale reminiscent of the Nazi holocaust to establish the International Tribunal for the Former Yugoslavia.

An attempt to create a new international criminal tribunal faces nearly insurmountable obstacles at this time since there is little consensus on law and procedure. The Secretary-General's report to the Security Council for the creation of a war crimes tribunal for the former Yugoslavia indicates that issues of "international criminal jurisdiction" and "the creation of an international criminal court of a permanent nature . . . are and remain under active consideration by the International Law Commission and the General Assembly" as they have for decades. Since years of study and proposals by various international bodies have yet to yield any concrete impetus towards an international criminal court, another suggestion here for a Court with broad international criminal jurisdiction would be impractical.

Similarly, the international system is unlikely to grant additional criminal jurisdiction to the I.C.J. The potential for the I.C.J. to fill the role of a strong international judicial branch has been in doubt since the United States rejected compulsory jurisdiction by the Court in 1985 after losing in *Nicaragua v. United States* (Carter and Trimble 1991, 283–307). Moreover, as explained above, the statements by the non-aligned nations and the dissenting I.C.J. judges show that many believe the United States, the United Kingdom, and France have expressed contempt for the I.C.J.'s judicial role by acting conspicuously within days of the Court's Lockerbie ruling.

Thus, if a new international regime is to govern the issue effectively and have a chance of actual acceptance, then it should be something other than a new Court or new responsibilities for the I.C.J. An incremental step is necessary that does not threaten the power of permanent Security Council members or national sovereignty generally, but that builds experience with and confidence in some sort of international judicial organ. This sort of confidence and experience must be created before any new Court or I.C.J. proposals have any chance of success.
Extradition of the Lockerbie Suspects

The U.N.S.C. Commission on the Prosecution of International Terrorism

The Security Council should create a Commission on Terrorism and Extradition. The objective of the Commission should be limited to assisting in the enforcement of the existing treaties and protocols, including the principle of aut dedere aut judicare. By constructing the Commission narrowly and using familiar international techniques, it is more likely to be adopted.

The membership of the Commission should be modelled after the familiar rules defining the composition of the I.C.J. The I.C.J. procedures would mean that “the members of the [Commission] shall be elected by the General Assembly,” thereby re-injecting politics into the process; the familiarity of this procedure increases its promise of reality. Moreover, it would ensure that “if the [Commission] includes . . . a [commissioner] of the nationality of one of the parties, any other party may choose a person to sit as judge” and thus, the body will be perceived as fair. Having a Commissioner with the same nationality as the state being examined also means more experience and expertise with the relevant state’s legal system. This will allow the Commission to assess more easily whether the state in question is fulfilling its international obligations.

The Commission should be designed not as a separate legal body, but as an arm of the Security Council. This system keeps final power in the hands of the Council, making the proposal less threatening to the permanent members. Furthermore, this approach is similar to that used in creating the International Tribunal for the Former Yugoslavia. Thus, it is more familiar than an entirely new regime. In creating that Tribunal, the Secretary-General noted other tactical advantages to this approach:

. . . the International Tribunal should be established by a decision of the Security Council on the basis of Chapter VII . . . Such a decision would constitute a measure to maintain or restore international peace and security, following the requisite determination of the existence of a threat to the peace . . . This approach would have the advantage of being expeditious and of being immediately effective as all States would be under a binding obligation to take whatever action is required to carry out a decision taken as an enforcement measure under Chapter VII.
Using the same technique here would confer similar advantages on the Commission. The Security Council could establish the Commission immediately, without the time-consuming problems of negotiating a convention or General Assembly action. Furthermore, the requested state would be bound to assist the Commission because of the supremacy of the Security Council under the U.N. Charter.

The Commission should narrowly tailor its investigation to the issue of whether a state has violated *aut dedere aut judicaret*. There are many groups in the U.N. system that investigate narrow issues of international law, and the Commission should adopt the nonconfrontational, advisory, and evaluating tactics of their reports so that states are comfortable with the prospect of this new evaluation. Examples of the groups the Commission could use as models include the U.N. Commission on Human Rights’ special rapporteurs on Summary Execution, Disappearances, Torture, and Mercenaries (Newman and Weissbrodt 1991, ch. 5).

This narrow approach also sidesteps the problems of redefining terrorist or criminal acts, since the Commission would use the definitions contained in the existing instruments. If the Commission finds that a state harboring a suspect has broken its duty of good faith trial or extradition, then it would so report to the Security Council. A good faith investigation and trial would be based on the norms of that particular state’s legal system. For example, if a Libyan prosecutor would normally prosecute an attack against a Libyan airliner, where the evidence was similar to that against the Lockerbie accused, the Commission would so report to the Security Council. Failure on the part of Libya to prosecute zealously the Lockerbie accused in the face of the Commission’s report would then be the basis of Security Council action.

Thus, in a case such as the Lockerbie bombing, the Security Council could assemble and dispatch the Commission to evaluate whether Libya had in fact investigated or tried the suspect in good faith. Libyan consent would be required to admit the Commission if the Security Council had not already declared the situation a threat to international peace and security but not if such a determination had already been made.

If the Libyan government is sure that it has fulfilled its obligations, it should welcome the Commission since it would vindicate its position in the international community. If Libya were to refuse the Commission’s requests to enter or have access to
Extradition of the Lockerbie Suspects

evidence, then the Commission would so report to the Security Council. The Council could then impose sanctions under Chapter VII which would be immediately binding under Article 103. The basis for sanctions would be the refusal of a member state of the U.N. to cooperate with the Security Council in its attempt to restore and maintain international peace and security.

Regardless of the Commission's findings, however, the Security Council remains free to act. If the great powers on the Security Council choose to push for sanctions in the face of a finding that Libya has fulfilled its obligations, they may attempt to do so, and honestly face the international political consequences. However, if the finding goes against Libya and the Council then moves to act, there will be fewer charges of Western hubris and violations of Libyan sovereignty.

Finally, the creation of the Commission would allow the developed powers to steer the post-Cold War world towards an international criminal court, either in addition to or by expansion of the I.C.J. States are reluctant to move towards such a court because of their fear that it would be a tool for the great powers to violate their sovereignty. However, the Commission would be seen initially by non-aligned nations as a check on the West's use of the Security Council. At the same time, the Commission would familiarize nations with the potential advantages and reliability of an international criminal law body. Such an incremental step is the only sort that is likely to be accepted at this time. It would be a small step, but if it builds confidence, then it would be an important one.

CONCLUSIONS

On the fifth anniversary of the bombing, President Clinton broke ground for a memorial to the Lockerbie victims at Arlington National Cemetery. He equated the Lockerbie tragedy with the attack on the World Trade Center and the assassination plot against President Bush. However, the Trade Center bombers are on trial and the plan against President Bush earned a missile attack for Iraq. Because of the nature of extradition law, the Lockerbie case has had no such closure, nor is any likely soon.

Given the state of international extradition law, the United States and the United Kingdom had no choice but to use their influence in the Security Council to attempt to force the extradition of the Libyan suspects. International custom favors the Libyan position
prohibiting the extradition of nationals under any circumstances. Prior dealings with Colonel Qadhafi had convinced Washington and London that if a trial proceeded in Libya under aut dedere aut judicare, it would almost certainly be a sham.

This paper has outlined a proposal that is intended to strengthen and broaden the options of developed governments while protecting the sovereign rights of developing states. If this proposal were implemented, and the United States and the United Kingdom were completely unsatisfied with the recommendations of the Commission, they could still proceed as they have in this case. However, the United States and the United Kingdom would seem less like international bullies and more like enforcers of justice if they acted in concert with a body like the proposed Commission.

Indeed, Western nations may increasingly find themselves in similar situations in the future. It would be a serious blow to the international system, therefore, if the Western members of the Security Council rendered other nations cynical about the Council’s role, since it has the only power of binding enforcement for the foreseeable future. With growing ethnic and border tensions among the less-developed states in the wake of the Cold War, Western nations may become more interested in prosecuting criminals beyond their territorial reach. This could come about as individuals try to retaliate against developed countries who take sides in the new international flashpoints.

Another important task for the Commission might be to ensure the prosecution of individuals attempting to profit by smuggling atomic, biological or chemical weapons materials from the former Soviet Union. Western concern on this issue is growing because, as of this writing, in Russia:

More than 180,000 officers are without housing. Warships are sold for scrap metal; the MiG design bureau sells rides on state-of-the-art MiG-29s for $8,000 each, and soldiers sell their weapons or serve as mercenaries in regional wars. It is common to see soldiers selling fuel from army tankers (Schmemann 1993, 1).

The Commission proposed herein could be a non-proliferation tool since aut dedere aut judicare appears in the International Atomic Energy Agency’s 1980 Convention on Physical Protection of Nuclear Material. The Convention requires states to pass domestic laws criminalizing the unauthorized sale or transport of nuclear material, establish jurisdiction over alleged violators, and
imposes the "prosecute or extradite" requirement.

The recent implementation of a war crimes tribunal for the former Yugoslavian states illustrates the shocking level of violence necessary to move the international community towards criminal prosecution. A step such as the one proposed here would start down the road of building confidence in an international enforcement mechanism. That is a worthy goal when the victims are in a declared war zone and when they are caught in the crossfire.

References

BBC summary of Khadafi's address to Libyan General People's Congress. 1993. Libyan Television (accessed with LEXIS-NEXIS), 1 September.


Environmental Affairs: Key Issues for the 1990s

A SPECIAL SECTION FUNDED BY THE NATHAN CUMMINGS FOUNDATION
The serious and far-reaching environmental effects of Soviet agricultural policy in Central Asia, including the desiccation of the Aral Sea, are well documented. This area also suffers from the worst health statistics in the former Soviet Union. How closely are the environmental and health phenomena related? After giving a geographic and socioeconomic background of Central Asia, this article describes the Soviet agricultural policy that led to the region's cotton monoculture and intense irrigation and its effects on water consumption. It then presents the dominant characteristics of the region's environmental degradation—desiccation, salinization, and contamination—and discusses the mechanisms by which environmental degradation can affect health. She concludes that, given the irreversible damage to the environment and the limited financial resources of the

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region, efforts must first be targeted to investments that will improve human health before addressing policies to salvage the environment.

**GEOGRAPHIC AND SOCIOECONOMIC BACKGROUND ON CENTRAL ASIA**

The five Central Asian republics are Kazakhstan, Kirgizia, Tajikstan, Turkmenia and Uzbekistan; they are bounded by Russia to the North, China to the East, Iran and Afghanistan to the South and the Caspian Sea to the West. The area is arid, receiving less than sixteen inches of rain and snow a year (Feshbach 1992, 59). Until recently the Aral Sea, lying between Kazakhstan and Uzbekistan, was the world's fourth largest lake. It has no outflow and is fed by two rivers: the Amu Darya which flows through Turkmenia, Uzbekistan and Kazakhstan, and the Syr Darya which flows through Kirghizia, Tajikstan, Uzbekistan and Kazakhstan. The Amu Darya and Syr Darya originate in the snows of the Pamir and Tyanshan mountains to the South (Precoda 1991, 109).

The Central Asian region is very distinct from the European parts of the former Soviet Union (FSU) in its religion, race and economic level. Perhaps due to its Muslim religion and relative poverty, Central Asia's population growth rate is much higher than in the rest of the FSU: the average between 1979 and 1989 was 2 percent, which, if sustained, would lead to a doubling of the population by 2025. Consequently, the age structure is very young, with a third to a half of the population under the age of 15 (Bassani 1993).

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<th>Central Asia Population, 1959 to 1990 (in thousands)</th>
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Source: Feshbach 1992, Appendix, Table A.2.

With the many failed economic reform attempts of the 1980s, the output per capita in Central Asia in 1991 was 13 percent below its 1981 figure. In early 1993, the average unemployment rate for the
region was above 7 percent, with some regions having rates as high as 12.6 percent. The failure of the industrial sector has placed increasing strain on the dominant agricultural sector, which already employs almost half the population. Hyperinflation experienced in 1991 has had serious deleterious effects on the typical household’s purchasing power and on diets. Even before the onset of hyperinflation, poverty was quite widespread, with some 30 percent to 50 percent of Central Asian households below the official Soviet poverty line in 1989; in some regions, this number was nearly 80 percent (Bassani 1993).

According to a member of the Ecological Union of the USSR, it is common for the diet in Central Asia to fall below the minimum acceptable diet; in some regions people receive only one-fifth of the minimum acceptable diet (Reimers 1990). For example, in Karakalpakia in Uzbekistan, the average annual consumption of meat is only 8-10 kg and consumption of fruit and vegetables is one-third the medical norm (Precoda 1991, 114). According to the director of women and children’s health in Turkmenia, it is not uncommon for pregnant women in the region to have protein deficits as high as 60 percent (Voshchanov and Bushev 1990).

Commensurate with the low economic level in the region is the poor quality of sanitation and health services, resembling condi-
tions in a developing country. In 1988 the USSR Minister of Health
acknowledged that almost two-thirds of all rural district hospitals
lacked hot water, one-quarter lacked sewage pipes, and 17
percent lacked running water (Feshbach 1992, 55). In Central Asia
the statistics are even worse, with half of the health facilities
lacking running water and nearly two-thirds lacking basic sanita-
tion (Bassani 1993).

**Soviet Agricultural Policy in Central Asia**

How did Central Asia come to produce cotton for the FSU and
environmental degradation for itself? Perhaps the best way to
illustrate the illogic and severity of Soviet agricultural policy in
Central Asia is to cite some of its slogans: “Cotton independence;”
“Produce millions of tons of cotton at any cost;” and “Fulfill The
Plan at any cost.” (Precoda 1991, 111) The Soviet leaders decided
that the warm but arid lands of Central Asia would produce one-
third of the USSR’s fruits and grapes, one-quarter of its vegetables,
40 percent of its rice, and 90 percent of its cotton (Postel 1992, 61).
The eight million tons of seed cotton produced annually in Central
Asia helped make the USSR the world’s third largest producer of
cotton (O’Sullivan 1992, 92).

Once the Aral Sea Project began in 1960 the area of irrigated land
in Central Asia doubled in less than a decade. Today approxi-
mately eight million hectares are irrigated in the region, which
represents 40 percent of the irrigated land in the FSU. In Uzbekistan
and Turkmenia almost all of the agricultural land is irrigated
(O’Sullivan 1992, 81-82). Unlined irrigation canals withdraw water
from the Amu Darya and Syr Darya rivers before they reach the
Aral Sea. The largest of these canals is the Karakum, which
stretches across the Karakum desert of Turkmenia for 1300 km and
withdraws 12 km$^3$ of water from the Amu Darya annually (World
Resources Institute 1991, 171).

Near their mountain sources the Amu Darya and Syr Darya have
average annual flows of 73 km$^3$ and 37 km$^3$ respectively. Without
human intervention, close to half the flow would naturally
evaporate into the hot, dry atmosphere before reaching the Aral,
and the other half would flow into the Sea.$^{1}$ With the introduction
of massive irrigation systems, however, annual river inflows into
the Sea have steadily decreased, falling to less than 5 km$^3$ between
1981 and 1990 (Philip Micklin, telephone interview, 13 December
1993). By the late 1980s, water consumption in the Aral Sea basin
used over 90 percent of the average annual river flows (Micklin 1991, 4,14).²

Irrigation, by far the largest anthropogenic use of water in Central Asia, is terribly inefficient. Water use in Central Asia is 1.25 to 1.75 times the norm for irrigation (Precoda 1991, 113). In the 1970s, only 44 percent of the water withdrawn for irrigation actually reached the crops; the remainder was lost to evaporation, runoff and transport. Considering the fact that most Central Asian fields use furrow irrigation (sometimes called surface irrigation) with unlined canals delivering the water, considerable losses are to be expected. A reasonable target for irrigation efficiency is approximately 80 percent and Central Asia has advanced closer to that figure in the last decade (Micklin 1992, 94–95).

Not all of the region’s problems with irrigation were technical in nature. The Soviet command economy was focused only on output level and input costs were not considered. For example, users of irrigation water were never charged for the water. In addition, it was a very corrupt system in which the leaders of Central Asia were only responsible for fulfilling the Plan, or at least pretending to fulfill the Plan, and were not accountable to their own population, but to Moscow (Randall Baker, telephone interview, 13 December 1993).

### Area Under Irrigation and Water Usage, 1988

<table>
<thead>
<tr>
<th></th>
<th>Irrigated land, 1000 hectares</th>
<th>Total water consumed, km³*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kazakhstan</td>
<td>1,924</td>
<td>24.4</td>
</tr>
<tr>
<td>Kirgizia</td>
<td>848</td>
<td>9.1</td>
</tr>
<tr>
<td>Tajikstan</td>
<td>576</td>
<td>10.6</td>
</tr>
<tr>
<td>Turkmenia</td>
<td>1,218</td>
<td>18.2</td>
</tr>
<tr>
<td>Uzbekistan</td>
<td>3,516</td>
<td>46.2</td>
</tr>
<tr>
<td><strong>Central Asia</strong></td>
<td><strong>8,082</strong></td>
<td><strong>108.5</strong></td>
</tr>
</tbody>
</table>

* Includes water lost in evaporation and for rural domestic use.


### Physical Changes in the Aral Sea Basin

Identifying the major characteristics of environmental degradation will serve as a first step toward evaluating the connection between environmental and human health. The most dominant and dam-
aging changes to the physical environment fall under three categories: desiccation of the Aral Sea; salinization of the water and soil; and contamination of the surface and ground water.

**Desiccation**

The desiccation of the Aral Sea is not an accident. In the early 1960s, Soviet economists decided that the waters of the Amu and Syr rivers should be diverted to agriculture, with its greater economic gain, instead of flowing to the Aral Sea and supporting the less wealthy fishing industry. Following this economic calculus, Soviet cartographers took this idea to its extreme and actually created maps depicting Central Asia without the Aral Sea (Postel 1992, 60). The former president of the Turkmen Academy of Sciences once said:

I belong to those scientists who consider that the drying up of the Aral is far more advantageous than preserving it. First, in its zone, good fertile land will be obtained. According to preliminary computations this will provide for 1.5 million tons of cotton a year. Cultivation of this crop alone will pay for the existing Aral Sea with its fisheries, shipping and other industries. Secondly, many scientist are convinced, and I among them, that the disappearance of the sea will not affect the region’s landscapes (Precoda 1991, 111).

Small improvements in irrigation will not be enough to stop the desiccation of the Aral Sea. The sea has already lost 45 percent to 50 percent of its surface area and 75 percent of its volume while its level has fallen by 16 to 17 meters. The current evaporation rate of the sea, 33 km³ per year, greatly exceeds the average annual river inflows except in extraordinarily wet years, which means there is usually a net annual loss to the sea (Philip Micklin, telephone interview, 13 December 1993). The shrinking Sea has recently separated into two distinct water bodies—the northern sea and the southern sea—standing approximately 100 meters apart at the closest point (Precoda 1991, 111). The northern sea is fed by the Syr Darya and has roughly reached equilibrium, but the southern sea is still shrinking and would require a four- to five-fold increase in inflow from the Amu Darya to reach equilibrium (Philip Micklin, telephone interview, 13 December 1993).
Environmental Degradation and Its Impact on Human Health

Vital Statistics of the Aral Sea

<table>
<thead>
<tr>
<th></th>
<th>Surface Area km²</th>
<th>Volume km³</th>
<th>River Inflow km³</th>
<th>Meters above sea level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>67,000</td>
<td>1,050-1100</td>
<td>&gt; 50</td>
<td>53</td>
</tr>
<tr>
<td>1990</td>
<td>40,000</td>
<td>350</td>
<td>&lt; 10*</td>
<td>39</td>
</tr>
<tr>
<td>2000</td>
<td>25,500</td>
<td>166</td>
<td>?</td>
<td>33</td>
</tr>
</tbody>
</table>

* Figure for 1980s

Salinization

As the Aral Sea has shrunk, its salinity has tripled from 10 grams per liter (g/l) in 1960 to 30 g/l in 1989, which is approximately the salinity of ocean water. It is estimated that its salinity will reach 70 g/l by 2000. The salts of the Aral Sea include sodium chloride, magnesium sulfate, calcium sulfate, sodium sulfate and magnesium chloride; two-thirds to three-fourths of the salts which form the first half meter of the exposed seabed are the more toxic varieties, sodium chloride and sodium sulfate (Micklin 1991, 48 and Precoda, 112).

There are now 30,000 km² of exposed seabed. Huge wind storms, which are visible from space, stir up the exposed seabed and prevent this friable land from being productive, carrying salt and dust as far as Byelorussia and Afghanistan. It is estimated that 40 to 140 million tons of salt are being swept across the region annually (Brown 1991, 23). For areas close to the Aral Sea, field measurements have shown dust and salt deposition as high as 9.5 tons per hectare (Micklin 1992, 102).

A second salinization process is also taking place. The lack of drainage and collector nets allows irrigation water to filter down through the soil and raise the water table. When water is within a foot of the surface it can evaporate, leaving behind higher salt concentrations in the soil. The higher the salt concentrations, the more water it takes to flush the salts from the soil before planting. When the water from the agricultural runoff is recycled back to surface and groundwater systems, therefore, it will be highly mineralized. In the lower courses of the Amu Darya and Syr Darya, total water mineralization increases by two to three grams per liter (Elpiner 1990). In the groundwater of the river deltas, there are total water mineralization levels of 35–100 g/l (Precoda 1991, 113).
for geography estimated that 60 percent of the irrigated land in the Aral Sea basin is moderately to heavily salinated. The figures for the individual republics range from 35 percent in Tajikstan to 80 percent in Turkmenia (Brown 1991, 23).

Mineral Content of Large Reservoirs of Collector-Drainage Water

<table>
<thead>
<tr>
<th>Lake</th>
<th>River Basin</th>
<th>Area of Lake km²</th>
<th>Volume of Lake m³</th>
<th>Mineral g/l</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnasaisk</td>
<td>Syr Darya</td>
<td>1865</td>
<td>13.90</td>
<td>10.1</td>
</tr>
<tr>
<td>Kamyshlybash</td>
<td>Syr Darya</td>
<td>178</td>
<td>.96</td>
<td>3.4</td>
</tr>
<tr>
<td>Sarykamyshsk</td>
<td>Amu Darya</td>
<td>2575</td>
<td>26.19</td>
<td>12.5</td>
</tr>
<tr>
<td>Sudoch'e</td>
<td>Amu Darya</td>
<td>300</td>
<td>.6</td>
<td>2.0</td>
</tr>
<tr>
<td>Kattashop</td>
<td>Amu Darya</td>
<td>30</td>
<td>.09</td>
<td>2.3</td>
</tr>
</tbody>
</table>


Contamination

Contamination problems arise from the misuse and overuse of pesticides, defoliants and fertilizers. Both the phosphorous-organic and chlorine-organic varieties of pesticides are applied to control the cotton boll worm and other pests. Despite an official ban on DDT in 1973, it has most likely been used in Uzbekistan within the last decade, given concentration levels 2-8 times the permissible norm (Feshbach 1992, 65). Other pesticides include dexochlorane (related to kepone), hexachlorane, and lindane (Elpiner 1990).

One Soviet expert explained that regulation of the 400 permitted pesticides was beyond the regulating capacity of the responsible agency, so only about sixty were controlled on "any significant scale." (Feshbach 1992, 65) Since pesticides were provided free in the Soviet command economy, overuse was also common. In Turkmenia, 13 kg of pesticides are used per hectare. Near the Uzbek city of Muynak, it is common for pesticide use to be nearly 30 kg per hectare (Precoda 1991, 113). The heavy pesticide use increases the likelihood of agricultural runoff being contaminated, with chemicals then spreading to the drinking water supply.

Dangerous defoliants such as butiphos and 2,4-D have been used to remove leaves from cotton plants before harvesting. The USSR instituted a ban on butiphos in March 1987, but as with the case of DDT, there is evidence that it has been used in Uzbekistan recently. The USSR Minister of Public Health acknowledged that
butiphos was being applied unsafely and thus was contaminating the water, air and food products as well as poisoning field workers and crop sprayers (Feshbach 1992, 64).

**Chemical Concentrations Found in Drinking Water, Tashausz, Turkmenia** (rate at which chemical exceeded USSR permitted level)

<table>
<thead>
<tr>
<th>Chemical</th>
<th>Permitted Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>sulfate</td>
<td>50</td>
</tr>
<tr>
<td>chloride</td>
<td>40</td>
</tr>
<tr>
<td>calcium</td>
<td>17</td>
</tr>
<tr>
<td>magnesium</td>
<td>10</td>
</tr>
</tbody>
</table>

*Source: Voshchanov and Bushev 1990.*

The soils of Central Asia are not endowed with sufficient nitrogen, phosphorous and potassium contents so large amounts of mineral fertilizers must be applied to enhance productivity. Annual use of mineral fertilizers in Central Asia is 300 kg per hectare (Precoda 1991, 113). "Weighted to reflect different levels of national income, the USSR used 3.1 times more chemical fertilizers than the United States." (Feshbach 1992, 61) Up to a third of the fertilizer applied to the crops is recycled back to surface and ground water systems in runoff instead of being taken up by the plants (French 1990, 26). The USSR has seen a steady increase of nitrate content in groundwater as a result of fertilizer application, and concentrations often exceed the maximum permissible level of 50 milligrams per liter (KHUBLARIAN 1989, 31). Another result is that crops contain an excess of nitrates. In produce samples from Kazakhstan and Uzbekistan, nitrate levels 12 and 19 percent, respectively, above the limits were found. In Kazakhstan one plant was producing carrot juice for infants that contained nitrate levels twice the permitted level (Feshbach 1992, 61).

**STUDYING THE PROBLEM USING THE ECOLOGIC METHOD**

The basic distinction between an ecologic method and an epidemiologic method of study is that the former tries to establish a correlation between environmental and human health in a geographic area, while the latter correlates an individual's incidence of disease with exposure to a particular contaminant. Both ecologic and epidemiologic methods generally look at the human body as the dependent variable that is affected by some outside
factor. Instead of independently linking the human body with its actual exposure to some contaminant and resulting illness, the ecologic method assesses and associates a community’s assumed exposure level of a contaminant with the incidence of illnesses in the community.

The obvious advantage of ecologic methods is the availability of data. Comparing the water quality and incidence of disease across several populations will allow one to make some preliminary decisions for policy. Since large groups are used in ecologic methods, even small risks can become evident without having to resort to long-term studies. Once an ecologic method study indicates that a risk is indeed present, epidemiologic studies can then better specify the risk by focusing on individual persons.

Several criticisms have been levied against the ecologic method, however. Do these accusations weaken our ability to link human health and environmental degradation? Each criticism will be addressed briefly.

**Avoidance Behavior**

Using aggregated data is both a strength and weakness of ecologic methods. For example, ecologic methods generally assume equal exposure levels across the board for populations; this eliminates the need for tracking individual exposure levels, but can also place doubt on the contaminant variable since actual exposure levels are not used. If there is variability in socioeconomic status or environmental awareness of the subjects, then it is likely that some members of the population will be practicing avoidance behavior, such as boiling water or buying bottled water. For rural regions of Central Asia, however, it is safe to assume that forms of avoidance behavior are not available because of lack of money and fuel.

**Varied Exposures**

Exposure is not only a function of human behavior. Exposure levels will vary depending on whether surface water or ground water is used for drinking water sources. If presence of a contaminant is related to agricultural policy, then seasonal variation in exposure levels of the residents is also likely. For the residents of Central Asia, the critical period is in the spring when
agricultural workers flush the salts out of the soil before planting and thus send contaminated water back to the rivers as return flows. In the Aral Sea basin, irritation of the alimentary canal from inhalation of salts and dust will be more severe in winter when winds increase.

**Data Availability**

Ecologic methods draw on existing morbidity and health records of a community. In general, when chronic and fatal diseases are concerned records are generally quite good. In developing countries, however, records of disease incidence for less serious diseases are often incomplete: Even if a death results, the records may only show the disease or condition which was seen to be the immediate cause of death. Despite Central Asia's economic indicators which resemble those of a developing country, reasonably good health records exist because it was a member of the more administratively advanced FSU.

**Latency and Migration**

Ecologic methods have difficulty taking latency and migration effects into consideration. Unless the latency period of disease can be easily defined, it will be difficult to isolate the appropriate exposure level that should be associated with a particular incidence of disease. In studying incidence of infectious disease in Central Asia, this problem is minimized because of the short latency period of infectious disease. Migration can be a problem if exposed persons leave the study area, or if others who have been exposed to a different environment enter the study area. There is relatively little migration both within and out of Central Asia, though, so this should not complicate ecologic methods of study (Micklin 1991, 8).

**Poverty as a Confounding Factor**

Another concern is specification bias, defined as the presence of a third factor correlated with both the disease rate and the community. Specification bias could occur in either epidemiologic or ecologic methods and often is an indicator of confounding factors. Simply stated, a community with low quality drinking water may suffer from diseases for several additional reasons, such
as poor diet. Furthermore, the drinking water itself will probably contain several different contaminants which can present multiple health risks, sometimes acting synergistically.

The most common confounding factor for determining health effects is the socioeconomic status of the subjects. This is particularly a problem in this case study since Central Asia follows the developing world in terms of poor sanitation, low quality drinking water supply and infectious disease, but follows the developed world in terms of its agro-industry and cancer rates. How can the various causes and effects be delinked?

For residents of Central Asia, there is no need to delink health effects from causes related to poverty such as poor nutrition, sanitation and health delivery and those related to the idiosyncratic agricultural planning of the FSU. For example, a hospital worker interviewed by a Western journalist charged that environmental catastrophe underlies all problems, even those traditionally assumed to be related to poverty:

**Journalist:** Tell us why the skin is like this? What causes the skin to be that loose?

**Hospital Worker:** This child is a year and a half old, but because she's so underdeveloped, her skin and her body size have not grown at the same rate. It's a case of underdevelopment—excess skin and under-development.

**Journalist:** Is this problem directly resulting from the Aral Sea's crisis?

**Hospital Worker:** Da. (Sea of Crisis 1991)

**Observed Health Deterioration**

The hospital worker's intuition that the environmental crisis is the root cause of deteriorating human health is confirmed by a number of recent medical studies. At the Conference on Environmental Degradation in Soviet Central Asia at Indiana University in June 1990, Dr. Elpiner of the Water Problems Institute of the USSR Academy of Sciences gave a talk entitled "Medical-Ecological Problems in the Eastern Aral Region." Dr. Elpiner focused on the Eastern Aral Region consisting of the Karakalpak Autonomous Republic in Uzbekistan, the Kzyl-Orda region in Kazakhstan, and the Tashausz region in Turkmenia. The results he presented use
the ecologic method of study. Dr. Elpiner did not attempt to control for socioeconomic factors, but concluded that "human health, infectious and somatic morbidity, is a direct reflection of these phenomena [namely] considerable deformation of the human environment and to socioeconomic processes." (Elpiner 1990)

Dr. Elpiner first outlined the region’s growing incidence of certain infectious diseases, namely typhoid, paratyphoid and viral hepatitis. For example, annual hepatitis morbidity in the Kzyl-Orda region grew by 20 percent from 1976 to 1980. The Kzyl-Orda region, which borders on the Aral Sea and suffers some of the worst environmental degradation, comprises only a quarter of the Kazakh population but has 40 percent of its hepatitis cases and 45 percent of its typhoid cases. In Karakalpakia (Uzbekistan), hepatitis and typhoid morbidity rates usually exceed the USSR average by two to five times (Elpiner 1990).

**Increase in Disease Prevalence During 1975-1990**

<table>
<thead>
<tr>
<th></th>
<th>Typhoid</th>
<th>Paratyphoid</th>
<th>Viral hepatitis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kzyl-Orda</td>
<td>29</td>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>Aralsk (in Kzyl-Orda)</td>
<td>25</td>
<td>n/a</td>
<td>7</td>
</tr>
</tbody>
</table>

Incidence of Disease in Uzbekistan and USSR, 1989 (per 100,000)

<table>
<thead>
<tr>
<th></th>
<th>Typhoid</th>
<th>Viral hepatitis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uzbekistan</td>
<td>15.5</td>
<td>1074.5</td>
</tr>
<tr>
<td>USSR</td>
<td>3.3</td>
<td>317.4</td>
</tr>
</tbody>
</table>

*Source: Feshbach 1992, Appendix, Table A.6.*

These infectious diseases are disproportionately affecting children. In Kzyl-Orda, three-quarters of the hepatitis cases are children. It is estimated that gastro-intestinal diseases are responsible for 30 percent of infant mortality in Kzyl-Orda, which experienced an increase in infant mortality by 20 percent from 1981 to 1987 (Elpiner 1990).

Infant Mortality Rates for Various Central Asian Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Deaths per 1,000 live births</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karakalpakia ASSR (in Uzbekistan)</td>
<td>60-92</td>
</tr>
<tr>
<td>Bozataus (in Karakalpakia)</td>
<td>110</td>
</tr>
<tr>
<td>Tashausz (in Turkmenia)</td>
<td>111</td>
</tr>
<tr>
<td>USSR average</td>
<td>22.7</td>
</tr>
</tbody>
</table>


The Kzyl-Orda region has the highest morbidity rate from oesophagus cancer in Kazakhstan (Elpiner 1990). In Karakalpakia, the oesophagus cancer rate is seven times the Soviet average, and in the Karakalpakia city of Muynak the residents have an oesophagus cancer rate fifteen times the Soviet average (Brown 1991, 24; Postel 1992, 62). In the Karakalpakia city of Nukus, the number of oesophagus cancer cases increased twice as quickly as the population from 1959 to 1990 (Ellis 1990, 90). An ecologic study published in the FSU in 1989 found a correlation between the 3- to 29-fold increase in total morbidity for various infectious and somatic diseases and the worsening of the ecological situation in the Aral Sea basin (Sharmonov 1989).
Percentage Increase in Mortality 1981-1987 from Selected Diseases, Kzyl-Orda

<table>
<thead>
<tr>
<th>Viral Respiratory Diseases</th>
<th>Liver Cancer</th>
<th>Oesophagus Cancer</th>
<th>Stomach Cancer</th>
</tr>
</thead>
<tbody>
<tr>
<td>300</td>
<td>300</td>
<td>25</td>
<td>100–120</td>
</tr>
</tbody>
</table>

Source: Elpiner 1990.

**DIRECT HEALTH EFFECTS**

Simply correlating an increase in disease incidence with the deterioration of the physical environment does not explain how a degraded environment can directly and indirectly affect human health. The mechanisms for direct impact on human health include inhalation, dermal contact, and most importantly, ingestion of contaminated water or food.

**Inhalation and Dermal Contact**

The entire population of the Aral Sea basin is vulnerable to the salts and dusts carried in the huge wind storms. Inhalation of the salts and dust irritates the alimentary canal. This helps explain the increased incidence of respiratory problems and oesophagus cancer in the region.

In addition to the salt and dust problem, agricultural workers bear additional risks from dermal contact with and inhalation of pesticide and defoliants. Even in the United States, agricultural workers bear an inordinate share of the health risk.

An analysis of where in the process from manufacture to use of pesticides excessive poisonings and excessive illnesses occur showed a rate of 1.44 per 10,000 for all agricultural workers, 50 per 10,000 for mixer/loaders, and 500 per 10,000 for grape pickers (Mushak and Piver 1992, 270).

The poor safety regulations in Central Asia place a great risk on agricultural workers. An exchange with cotton workers in Central Asia revealed the following:

2nd Cotton Worker: Airplanes dropped chemicals on us while we were working in the fields.

3rd Cotton Worker: They flew over the fields and the village.

Journalist: Did you know then that the chemicals were dangerous?

2nd Cotton Worker: Sure, but what could we do? Where could we hide? (Sea of Crisis 1991)
Defoliants such as paraquat and Avenge that are used to remove leaves from cotton "produce peroxides and hydroxides which disrupt cells; giving oxygen to persons exposed to such dipyridyls to help them breathe only makes the lung damage worse." (Mushak and Piver 1992, 273) According to a Communist Party publication 14,000 deaths and 700,000 additional illnesses can be attributed to pesticide poisonings annually (French 1990, 27). Most of the victims of acute poisoning are probably agricultural workers, while many of the illnesses probably fall in the general population. Since it is not uncommon for children to work in the cotton fields, they probably number among the victims (Remnick 1990).

**Ingestion of Contaminated Water and Food**

Since most Central Asian tap water comes from wells, the majority of the population is at risk from contaminated underground water supplies (Brown 1991, 24). In Turkmenia, most people drink water from the Karakum canal (Precoda 1991, 113). Various ways water may become polluted with pesticides include: discharge of surplus pesticide after spraying operations; leakage from pesticide storage areas; accidental spillage of pesticides during transport and application; runoff, leakage, and erosion from treated soils; and fall-out of pesticides from polluted air (WHO 1990, 68). Produce is also at risk of being contaminated. In Karakalpakia, the percentage of food samples which exceeded permissible norms for maximum pesticide concentrations increased from 1.32 percent in 1979 to 37.3 percent in 1985 (Elpiner 1990).

Chlorine-organic pesticides such as DDT, kepone, mirex aldrin, dieldrin and chlordane have many properties that are important for their effectiveness. For example, they are stable, long-lived, and not water soluble. However, this means that they tend to persist in the environment and are not excreted, but build up in the fat of organisms. Bioaccumulation through the trophic levels allows pesticides like DDT to reach dangerous concentrations in animals that may be consumed by humans. These insecticides target the nervous system in its intentional victims as well as in vertebrates such as humans. Having realized the dangers of chlorine-organic pesticides, many countries have switched to phosphorous-organic pesticides which do not bioaccumulate. The latter, however, are responsible for the largest percentage of

A government publication entitled "USSR Environmental Report" stated that infant morbidity through age six is 4.6 times higher in high pesticide use areas than in low pesticide regions (Brown 1991, 24). This may be a result of mothers passing toxins to their breastfeeding infants. Pesticide residues were found in the breast milk samples taken from nursing women in the Tashausz region of Turkmenia (Voshchanov and Bushev 1990). Medical studies have shown that a metabolite of the chlorine-organic DDT is often found in breast milk and acts like an estrogen to hasten weaning and stop lactation. The persistence and transfer of phosphorous-organic pesticides in breast milk have yet to be determined (Mushak and Piver 1992, 273). In the Ashkabad oblast in Turkmenia, researchers found a correlation between pesticide loading and adult diseases of the liver, gall bladder and pancreas (Precoda 1991, 113).

Application of nitrate fertilizers helps plant growth by assisting the nitrogen cycle, which consists of bacteria converting nitrogen to soluble nitrates and plants converting these nitrates to proteins. When nitrates accumulate in soil and contaminate groundwater, they present a health risk because they may interact with bacteria and become nitrites. The condition of alimentary methemoglobinemia occurs when nitrites transform the blood's hemoglobin into methemoglobin, which cannot transport oxygen. In Czechoslovakia, where high nitrate levels are found in the ground water, government officials recommend infants only be given bottled water (Benes et al. 1989, 23). This is because methemoglobinemia can be fatal for infants, which offers another explanation for higher infant mortality rates in the Aral Sea basin.

INDIRECT HEALTH EFFECTS:
SOCIOECONOMIC CHANGES

The clearest example of socioeconomic damage from the agricultural policy is the impact on the former fishing cities of Muynak and Aralsk. These cities were located on opposite sides of the Sea and had been chief ports and centers for the fishing industry which had an annual yield of up to 45,000 metric tons of fish. In the late 1950s, the fishing industry supported approximately 60,000 people (Brown 1991, 22). As the water of the Aral Sea became increasingly
saline, all 24 native species of fish including sturgeon, carp, bream, pike-perch, barbel and roach, disappeared. With the desiccation of the Aral Sea, towns formerly on the coast are now separated from the sea by more than twenty miles; in order to support the towns’ fish processing plants, the USSR shipped fish in from the port of Murmansk on the Barents Sea some 2,800 km away to be processed in these coastal towns (Ellis 1990, 86). This was not a sustainable solution to the problem, and disappeared with the demise of the Soviet Union. It also failed to prevent large socioeconomic disruptions for the residents of these cities: In Aralsk, 5,000 workers were unemployed in 1991 and 10,000 residents had already abandoned the city (Precoda 1991, 114).

The agricultural policy has also hurt farmers in several ways. First, productivity has fallen with soil erosion and salinization of the water and soil. The tugay forests of trees and shrubs, which live by the river deltas and are dependent on high water levels, provide natural protection against erosion. Now they have been reduced to one-fifth their previous level, and erosion has increased. The salt storms deposit sodium chloride and sodium sulfate, which are toxic to plants, especially when blossoming (Precoda 1991, 112). The lack of drainage systems means that irrigation water percolates down into the soil and raises the water table. Besides the salinization effects described before, this can cause waterlogging so deep-rooted crops cannot develop properly (Brown 1991, 23).

Second, the Central Asian climate has also suffered from the environmental degradation. The large size of the Aral Sea allowed it to have a moderating effect on the region’s climate. With a diminished surface area, however, the Sea’s evaporation rate has decreased from approximately 63 km³ in 1960 to 35 km³ today (Micklin 1991, 104 and O’Sullivan 1992, 82). The region now has a lower humidity level and a shorter growing season, as well as more severe temperature extremes in both summer and winter. The shorter growing season has forced many places to switch from cotton to rice because it matures more quickly (Brown 1991, 24). Since rice is even more thirsty than cotton, however, this may have additional negative environmental effects.

The chart below indicates the extent to which productivity suffered in the region, particularly in Turkmenia and Uzbekistan. Cotton productivity for the region peaked in 1979 and since then has fallen by 15 percent (Brown 1991, 23). In Uzbekistan 552,000 hectares of irrigated land were lost to salinization. One author
notes that in Turkmenia, "the rate of land loss due to salinization now exceeds the rate of development of new areas for agricultural production." (Precoda 1991, 113) Quality has suffered as well as quantity. It is estimated that 60 percent of the cotton yield in Central Asia is low grade cotton (Reimers 1990).

Dynamics of Irrigated Land and its Productivity

<table>
<thead>
<tr>
<th></th>
<th>Area of Land Irrigated, 1000 ha</th>
<th>Gross Annual Production (rubles) per hectare of irrigated land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uzbekistan</td>
<td>2696</td>
<td>3476</td>
</tr>
<tr>
<td>Kirgizia</td>
<td>883</td>
<td>955</td>
</tr>
<tr>
<td>Tajikistan</td>
<td>518</td>
<td>617</td>
</tr>
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<td>Turkmenia</td>
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The rise in incidence of infectious disease can be partially explained by these socioeconomic changes. As agricultural land becomes marginalized, so do the people who farm it. The loss of the fishing industry and the decline in the agricultural industry have led to a poor physical infrastructure and widespread poverty. Consequently, there is an inability to purify the contaminated water. This is how socioeconomic change relates to the rise in typhoid, paratyphoid and viral hepatitis.

CONCLUSION

Many strategies have been discussed for limiting the environmental damage from the existing agricultural policy. Few have been implemented, however, for two main reasons: lack of political leadership and lack of financial resources. Both are linked to the demise of the Soviet Union. The costs and benefits of a new policy will not be borne equally by the five republics. For example, Turkmenia would be particularly punished if the water flow through the Karakum canal, its lifeline, were reduced in order to save the Aral Sea which it does not border. Without a central, detached leadership from Moscow, these republics have found it difficult to agree on anything."
The Soviet leaders' decision to develop Central Asia as an exporter of industrial crops such as cotton had much to do with the region's failure to develop economically. Thus, the agricultural policy has contributed to the current health crisis by not reducing poverty. The political significance placed on Central Asia's cotton production also contributed by preventing open discussion when symptoms like the shrinking Aral Sea and worsening health statistics augured the coming crisis (Randall Baker, telephone interview, 13 December 1993). Changing agricultural policy and technology will not meet the immediate needs of Central Asians, despite the fact that they are the underlying cause of their misery. The increase in infectious disease, particularly those connected with infant mortality, is tied to poverty in the region, but its immediate causes are poor nutrition, sanitation, and health delivery.

To address the immediate health concerns, several investments should be considered for the entire region, but targeted at the rural population in particular:

1) Institute programs to supplement diets, especially for children and pregnant women;
2) Build local sewage systems and water purification systems, targeting hospitals and schools first;
3) Improve health services, including delivery of prenatal and postnatal care, and complete equipment stocks such as sterile syringes to prevent the spread of hepatitis;
4) Introduce family planning programs. In rural areas where it is not uncommon for women to give birth more than ten times, maternal depletion threatens both the lives of women and children. In addition, population growth increases the stress on the environment; and
5) Regulate pesticide and defoliant application better, and strictly enforce the ban on DDT and other dangerous substances.

These recommendations are intended to address health concerns. Other solutions aim at environmental remediation. Some of the technical improvements which would reduce soil salinization and conserve water include: building drip irrigation to replace furrow irrigation; improving drainage and lining canals; and diking the Aral Sea to reduce the area subject to evaporation (O'Sullivan 1992, 84). These technical improvements, along with shifting to a more diverse and less thirsty crop selection, introducing a water
charge system and building up other industries, can only be realized in the long-term and thus cannot address the immediate health concerns.

According to Philip Micklin, an authority on Soviet water management and geography, just stabilizing the sea at current levels would present a huge cost to the region. Like a drug, the Central Asian republics have become dependent on irrigation agriculture and must be slowly weaned from it. Given the high population growth rates, irrigation will not be reduced in the long-term; at best, irrigation use may be stabilized. A combined strategy of the aforementioned water conservation measures could allow for an equilibrium or even increase in the northern sea's volume; for the southern sea, the best outcome that can reasonably be expected is the creation of some residual lakes which could possibly support fish (Philip Micklin, telephone interview, 13 December 1993). The leaders of Central Asia should cooperate in this effort, but primarily address the immediate and local causes of the deterioration in human health.

Notes
1Since the Sea has no outflow, surface evaporation roughly equaled river inflows (90 percent) and precipitation (10 percent) before 1960 (World Resources Institute 1991, 171).
2Consumption figures include water directly lost to evaporation and transport as well as water used for agricultural, industrial or domestic use.
3It is perhaps not surprising that the speaker is from Turkmenia, which does not border the Aral Sea but does benefit from irrigation waters withdrawn from the Amu Darya.
4The years 1991 and 1992 were very wet years in the region.
5Note the USSR maximum allowable concentration for DDT in drinking water supplies is 0.1 mg/l.
6Note the USEPA norm for maximum nitrate level is 10 mg/l.
7The following discussion is adapted from Walter 1991.
8Since February 1992 there does exist an Interstate Water Agreement which brings the Central Asian Ministers of Water Management together four times a year. Once a year they decide on allocation of water depending on estimated annual river flows, but do not address the desiccation of the Aral Sea directly (Philip Micklin, telephone interview, 13 December 1993).
9The Indiana Conference in June 1990 was the first meeting to discuss the more deep-rooted administrative and organizational causes of the Aral Sea crisis. In the past only technical "safe" issues could be discussed.
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Japan and the Environment: The Economic Benefits Derived from Environmental Regulations

Daniel D. Hiatt

Although Japan has had a bad record in many areas of environmental protection, it has excelled in anti-pollution regulations and in the development of pollution abatement technology. This paper argues that these seemingly contradictory policies both reflect the search for economic efficiency. As Japan looks for a position of political leadership, it is trying to improve its environmental image. Its pollution control and energy efficiency will represent an increasing advantage to its industries.

As is true with many of the world’s rapidly developing countries, Japan has often sacrificed environmental preservation for the sake of development. Japan’s early planners saw ecological concerns as secondary to developmental issues and even considered preservation of the environment as a barrier to industrialization and development. Much of the blame for this way of thinking should be placed on the example of the industrialized nations of the West, which achieved industrialization through technological advance coupled with environmental exploitation. Countries such as the United States developed under what Pat Murdo terms a “pioneersociety mentality,” or, in other words, under the belief that new

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frontiers would open for exploitation once present resources were depleted (Murdo 1990, 3). This mentality contributed to the general deforestation of the Great Lakes region and in the cultivation of the midwestern prairies.

In the past, Japan has exhibited the same type of mentality, especially in regard to resources belonging to other nations or in the international commons—i.e., resources open to all, not the specific property of one individual nation. However, Japan has also excelled in implementing strict pollution regulations and in the development of pollution abatement technology. The purpose of this paper is to attempt to explain why Japan excels in some areas of environmental preservation while performing dismally in others.

While the perception of Japan as an “environmental outlaw” and its success in environmental technology appear to be diametrically opposed to each other, they are both manifestations of the same political outlook. The reason Japan continues to import cheap tropical timber and, until recently, fish using efficient drift nets (in terms of a large catch with low capital outlays) is because Japan believes that these activities further its economic interests. By the same token, the reason Japan surpasses other nations in terms of energy efficiency and pollution control is because it has realized that these policies generate more efficient and globally competitive corporations.

Furthermore, the reason Japan is currently attempting to alter its environmental reputation is because of its desire to acquire a position of political leadership to accompany its economic success. Japan perceives a change in the international relations with the disintegration of the Soviet Union and the end of the Cold War, and desires to increase its status as a world leader by improving its image on ecological issues and by assisting other nations in preserving their environments.

THE ENVIRONMENT AND JAPAN: A MIXED RECORD
Japan’s past use of fishing using drift nets is a good example of both Japan’s reputation as an exploiter of the international commons for economic gain and of how that reputation may be changing. Japan’s critics have labeled the use of drift nets as “ocean strip mining” because of the number of sea mammals, off-limits species, and sea birds that are often snared in the nets and die
along with the desired catch. The Japanese originally maintained that their nets allowed the unwanted species to escape and that more research was needed before a decision could be made for or against the use of drift nets (Murdo 1990, 5). However, in July 1990, Japan changed its position when the Foreign Ministry announced a suspension of drift net fishing until regulations could be established and the issue could be resolved (Miller and Moore 1991, 16).

Another example of Japan's shifting policies are its imports of tropical timber, mainly from the tropical forests of Southeast Asia. Even though 66 percent of Japan is covered by forests (Ichiro 1987), Japan still imports 29 percent of the world's tropical timber exports, some of it for use in construction as cement molds, which are often discarded after one use (Cross 1989, 74). Japan maintains that its forests are located in mountainous regions that are relatively inaccessible and too expensive to harvest. However, as in the case of drift net fishing, Japan has attempted to alter its image by hosting the headquarters for the International Tropical Timber Organization (ITTO) in Yokohama and by increasing overseas developmental aid to countries with tropical timber forests, including a $19.3 million appropriation to the ITTO to help begin a "world forest fund." (Murdo 1990, 9)

Japan's reputation in these areas, coupled with its image as an importer of endangered species and a killer of whales under the guise of scientific research, have marked Japan as an enemy of the environment, or at least a nation that is more interested in its national self-interest than in preserving the global environment. Conversely, despite this notorious reputation, Japan is also noted as excelling in other areas of environmental preservation and is often touted as a nation worthy of emulation by many of the same groups that criticize some of its other activities.

Japan excels primarily in energy efficiency and pollution control. At the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro, James Gustave Speth, president of the World Resources Institute, praised Japan for: its plans to reduce carbon dioxide emissions to 1990 levels by the year 2000; a plan developed by the Ministry of International Trade and Industry (MITI) to reverse environmental degradation through new technology; the global charter of the Keidanren (a Japanese business group) which advised companies to improve their
environmental performance; and Japan's creation of a fund to promote species biodiversity. He also noted that, "Many of us around the world are using Japanese performance to push our companies and governments into the 21st century." (Murdo 1992d, 9) However, Japan's development of environmental technology is by no means solely motivated by a desire to protect the environment. It is also motivated by economic benefits.

**Economic Benefits of Environmental Technology**

Japan's economic benefits from environmental technology can be divided into two main categories: benefits that derive from improving the efficiency and competitiveness of domestic industries and corporations, and benefits derived from environmental technology marketed in other countries. Both of these reasons have been cited by Japanese businesses and industries as the primary motivations behind their decisions to develop technology that assists in preserving the environment.

**The Evolution of Japan's Pollution Legislation**

During the late 1950s and 1960s, the Japanese people began to pay the price for earlier unrestricted growth in the form of diseases from polluted water and other resources. Of the many problems Japan faced, four major cases affected the way the Japanese viewed pollution and the rights of pollution victims. The “Big Four” pollution cases also altered the way Japan's business and industry viewed environmental problems. The four cases were brought by the mercury poison victims at Minamata and later in Niigata, victims of cadmium poisoning in Toyama, and air pollution victims in Yokkaichi (Barret and Therivel 1991, 17).

Prior to these four cases of litigation, the usual procedure for victims of pollution was to enter into negotiations with the polluting industry, which could result in compensation payments for the victims, but failed to establish a legal precedent as to the responsibilities of industry regarding hazardous waste or the liabilities of polluting industries. Much of the blame for the unrestricted policies that allowed industries to pollute was laid at the door of MITI. As the ministry in the government largely credited for Japan's spectacular growth from the end of World War II to the present, MITI not only created a favorable environment
for Japan's industry, but it also continued to oppose any type of restrictions that it perceived would slow economic growth.

In 1967, MITI continued its industrial protection policies by pressuring Japan's legislative body, the Diet, to water down a pollution law proposed by the Ministry of Welfare. However, the public furor caused over MITI's meddling, together with the heightened awareness of pollution problems caused by the "Big Four" cases and widespread pollution throughout Japan, led to the convening of the "pollution Diet" in 1970, which established fourteen pollution control laws and deleted MITI's provision that pollution control laws not harm the economy. MITI responded by redirecting one of its bureaus to assist in preserving the environment and by more than doubling the amount of money devoted to handling industrial pollution (Johnson 1982, 284).

**MITI and Environmental Regulations**

MITI used the new environmental standards as a way to increase its influence over the various industries under its jurisdiction and to encourage them to adopt more efficient technologies, not only to improve the environment, but also to increase their competitiveness and efficiency. Alan Miller and Curtis Moore, in an analysis of Japan and environmental preservation, cite a study completed by the Association for the Conservation of Energy that lists several reasons behind Japan's successful implementation of an energy and efficiency program:

First, the Japanese government provides financial incentives, regulations, standards, information and education to help companies reach the highest possible energy efficiency standards. Second, a single government agency, MITI, administers a comprehensive national program for energy efficiency and has the power to ensure that all sectors adopt its conservation measures. Third, all companies larger than a minimum size must have licensed energy managers, who supervise the firm to ensure maintenance of the highest energy efficiency standards. Fourth, to preserve efficiency gains, the Japanese upgrade energy efficiency standards for appliances and buildings periodically. Finally, the government has a long-term plan to obtain significant increases in national energy efficiency (Taylor et al. 1990, 15–17).

As was true in the 1970s, MITI still manages to play an important role in the development of new technologies and in directing and guiding industries. After Japan signed the Montreal Protocol
reducing consumption of chlorofluorocarbons (CFCs) by half before the end of the century, MITI began a five-year $40.9 million research project among Japan's leading CFC producers in the quest for substitutes (Johnstone 1991a, 38). Among other things, CFCs are used in the manufacturing of computer circuit boards to clean the flux left after the boards are soldered. One of Japan's largest computer companies, NEC, developed a way to spray the flux on the boards so that the flux can be removed mechanically without the use of CFCs. Not only does this technology reduce the amount of CFCs used by NEC, but, "since December 1990, NEC has been marketing its system on a commercial basis. By March [1991], the company had received 10 orders for the 4.5 million yen [$36,000] product," and hoped to market 50 more units during the same year (Johnstone 1991a, 38).

Currently, MITI spends around $560 million for research into biodegradable plastics, technology to reduce carbon dioxide emissions, and technology to absorb and use greenhouse gases. The primary component of this strategy is a 200-member research center near Kyoto named the Research Institute of Innovative Technology for Earth (Johnstone 1991b, 38). After Japan passed recycling legislation in 1991, MITI also set specific percentages of recycled paper that paper manufactures must include in their products. It also included recycled content rates for the manufacturers of glass containers and encouraged the construction industry to raise "its use of recycled sand, concrete, asphalt and dirt." (Murdo 1992a, 9–10)

It should be noted that MITI's concern for the environment is largely a byproduct of its drive to make Japan's industry more competitive and efficient. It is not based primarily on policies of environmental preservation. Together with the Japanese business group Keidanren, MITI opposes carbon taxes and includes provisions with many of its recommendations to modify policies depending on the effect those policies might have on industry and on the ability of industry to respond (Murdo 1992b, 10). Also, many of MITI's critics state that its foreign aid programs are motivated more by a desire to increase its influence in foreign policy areas, after a decrease in tied-aid projects, than concern over the environments of other nations (do Rosario 1992, 39).

However, the fact that MITI and Keidanren are not primarily concerned with preserving the environment raises an interesting point, in regards to environmental standards and economic
development: these organizations’ prime motivation is to increase the ability of Japanese companies to compete through efficiency and new technology. In other words, contrary to the once common belief that environmental regulations retarded economic growth, Japan’s example demonstrates not merely the compatibility, but even the desirability of environmental standards to promote efficiency and encourage economic growth. An official of Japan’s Environmental Agency recently concurred:

There is no question that our strict regulations have made Japanese industries more competitive. To conserve energy, for example, they had to develop more efficient production processes. When energy prices rose, Japanese corporations were well-positioned: their products were far more price competitive than the industrial countries that lacked strict pollution controls (Nikkei Weekly 1991, 17).

**Economic Advantages of Technology Transfers**

The other aspect of Japan’s desire to develop environmental technology is the opportunity it provides to market that technology in other countries. Since the development of such technology in response to pollution legislation in the 1970s, Japan’s success, as far as environmental preservation is concerned, has primarily been in air pollution control products, of which it has become a leading exporter. In South Korea, where pollution control equipment sales totaled around $200 million and the market is growing at a rate of 12 percent, Japanese companies control three-fourths of the market (Clifford 1991, 43). Also, as mentioned earlier, one of the main motivations behind MITI’s support for environmental research, such as CFC substitutes comes from a desire to discover new technologies and products and market those products to other nations and foreign corporations.

Further evidence of corporate Japan’s interest in filling market demands for environment preserving technology can be found in a delegation of Japanese businessmen, including representatives from Keidanren, that attended the Global Forum held concurrently with the Earth Summit in Rio de Janeiro (Murdo 1992d, 8), and in Japan’s 86 percent budget increase for fiscal year 1992 for transfers of environment preserving technology (Grimm 1992, 11). Japan’s business leaders appear to agree with UNCED chairman Maurice
Strong that, "the environment is going to be the driving force of the economy and the source of most new comparative advantages in industrial opportunity." (Murdo 1992a, 14)

Japanese business leaders have developed an ability to identify their comparative advantage and pursue it. Part of the credit should go to government ministries, such as MITI, that influence industry by means of administrative guidance and industrial policy, but a large portion of the credit seems to remain with individual corporations. These companies appear not only to have accepted the importance of environmental regulations and safeguards in protecting their employees and the general population, but have also realized that the technologies that were created to meet pollution regulations have created a comparative advantage these corporations can exploit in their trade with other countries. In short, they have shifted from viewing environmental regulation as strictly opposed to industrial growth, to viewing regulations as a potentially valuable spur to research and development.

Regulations have spawned new technologies that have increased efficiency and reduced operation costs. They have created a comparative advantage for Japanese industry, while at the same time reducing industry's degradation of the environment. As researchers Miller and Moore observe, "This experience challenges the conventional wisdom among scientists, engineers, and politicians that pollution is an inevitable consequence of industrial productivity. The reverse may actually be true: the path to true productivity may be one that leads to zero pollution and 100% efficiency." (Miller and Moore 1991, 32)

**JAPAN AS AN ENVIRONMENTAL LEADER**

In an article critiquing the emerging environmental policies of many of the countries of Asia, Gavin Greenwood states that Japan is beginning to contemplate environmental protection because its economic success has enabled it to consider the "aesthetic and practical benefits of a cleaner and safer environment." (Greenwood 1991, 37) While this may serve as a cursory explanation for the popularity of environmental conservation in general, it fails to account for the increased importance the Japanese government appears to place on becoming a leader in environmental preservation.
Japan's Quest for a Leadership Role

Barbara Wanner notes that Japan appears to want a decision-making role in the United Nations more in line with its financial contributions, including possibly a permanent seat on the Security Council. However, since this restructuring would require amending the UN Charter, the US and other permanent members are reluctant to support Japan's claim. Wanner contends that Japan will probably relegate itself to the role of playing a "good second man, willing to cooperate and coordinate with the United States according to each country's area of strength." (Wanner 1992, 11)

Noted Japanese historian Carol Gluck, in an essay on the modern Japanese experience, observes that Japan's history is filled with examples of Japan borrowing from other nations and cultures in attempts to modernize and develop. However, due to a concerted drive by Japan's industry and government, "Japan has now caught up, as they say, with the West . . . there is no external model to catch up with. Indeed, others are talking of catching up with the model of Japan...Rather than the agenda being set for them, their economic power has placed them in the position of having to set their own agenda and even that of others." (Gluck 1992, 19, 22)

Ironically, despite appearing to have lost its models for modernization and growth, Japan seems to have grasped some of the issues that will shape future international and economic relationships between nations to a greater extent than its alleged mentor, the United States. Instead of continuing to follow the US lead on environmental issues, Japan recently sided with the European Community on carbon dioxide emissions at the Earth Summit and began to talk of pressuring the United States to adopt more stringent regulations in order to curb global emissions (Murdo 1992a, 5-6). In fact, Richard Forrest of the National Wildlife Federation holds that Japan's reputation as the worst abuser of the environment is currently being appropriated by the United States (Murdo 1992a, 3).

Japan's Environmental Leadership

Along with a heightened awareness of the importance of environmental preservation in future relationships, Japan has increased its funding of environmental projects and its participation in environmental conferences. Together with the previously
mentioned increase in funding for transfers of environmental technology, Japan participated in the UNCED conference in Rio de Janeiro, and hosted the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) in March 1992. Although the CITES meeting failed to provide the boost to its image Japan was hoping for, due to the failure of certain domestic initiatives designed to illustrate Japan's changing environmental policies, many observers at Rio felt, "Japan, along with Germany, emerged from the conference with a de facto leadership position," because of promises of larger financial aid and Japan's development of environmental technologies (Murdo 1992c, 7; Murdo 1992d, 8).

In 1989, Japan announced its intention of giving $2.15 billion over the next three years to developing countries in Asia and Latin America to help remedy their environmental problems (Rowley 1989, 58-9). At the UNCED conference in Rio, Prime Minister Miyazawa's statement, distributed to conference attendees, announced Japan's intention of doubling this aid to between $6.7 billion and $7.4 billion over the next five years, including $77.1 million to Brazil and $773,300 to Mexico (Murdo 1992d, 9).

Finally, there appears to be a growing awareness among business leaders and corporate executives that sound business practices include preventing environmental degradation. Nissan president Yukata Kume explains, "I think one of the key perspectives of future business and industrial activities should be the concept that advance preservation of the environment is much more cost effective than trying to deal with a problem after it has occurred." (Murdo 1992a, 8) Japan's Keidanren recently issued guidelines for companies operating in other nations. Among other things, they advocated addressing problems of poverty, population increase, and environmental degradation in the host country. As Murdo observes, "Each company must aim at being a good global corporate citizen, recognizing that grappling with environmental problems is essential to its own existence and its activities." (Murdo 1992a, 11)

Japan views the environment not only as one area in which it possesses a comparative advantage, but also an area in which it may lead. With the rising importance of the environment in international relations between countries, Japan's emergence as a leader in this area would greatly enhance its prestige. An aware-
ness of the importance Japan places on environmental issues is evident in the intense bureaucratic competition among Japan's government ministries for a place on the delegation to the UNCED conference in Rio (do Rosario 1992, 39). Ironically, much of Japan's Environmental Agency's agenda is being usurped by ministries such as MITI and the Ministries of Foreign Affairs and Commerce, reflecting not only the importance of preserving the environment, but also the importance these traditionally powerful ministries place on future environment relations.

CONCLUSION
Perhaps not everything pertaining to Japan and its environmental policies can be explained by economic incentives, but in the case of the benefits derived from Japan's pollution regulations, the economic benefits are undeniable. As with all nations, throughout most of its history, Japan's actions have reflected a rational attempt at preserving its sovereignty and protecting its national self-interest. A large part of this national self-preservation included promoting economic growth and maintaining the competitiveness of its industries, often at the expense of the environment. The pollution regulations that resulted from public demand and the industry's reaction to those regulations not only enabled Japan to develop environmental technology, but also forced Japanese companies to become more efficient and globally competitive.

With its economic success, Japan recently realized the need for greater influence in its international relations in order to protect its interests. One area it identified as growing in importance in terms of economic and environmental relations between nations was the environment, and one area it realized in which it held a comparative advantage was in environmental technology. It also realized that it could use its economic strength to protect its interests by funding environmental technology transfers and participation in environmental conferences and institutions. A direct benefit of the technology transfers and increased funding is the increased demand for environmental technology from Japan's corporations. Indeed, because of the importance of trade with developing nations, financial aid and technology transfers are as important to Japan's economic survival as they are to the developing nations they are designed to benefit. Taken as a whole, the developing nations are Japan's largest trading partner, providing one-half of
Japan's imports and absorbing one-third of its exports (Zhou 1991, 347–8).

Japan's success is not remarkable because it acted in its best interest; it is because it understood several years ago that energy efficiency and pollution control were the best ways to achieve efficiency and globally competitive industries. It is also remarkable that the corporate and governmental leaders of most of the developed world have not realized what Japan has understood: that environmental regulations and environmental policies are not only conducive to economic growth, they can be some of the strongest catalysts for improving efficiency and the competitiveness of an industry.

Recently, the United States has adopted a strategy to develop and market environmental and green technologies, but many observers of recent U.S. efforts realize that, given the lack of a central institution, such as MITI, and the lack of government financial resources to devote to new technological projects, the United States is not likely to be able to duplicate Japan's level of cooperation between government and industry (Jubak and D'Amico 1993). Moreover, given traditional relations between the U.S. government and industry, and the aversion in the United States to anything approaching collusion between corporations, even if government sponsored, such a high level of cooperation may not even be desirable. However, the United States can adopt a version of the Japanese system of governmental leadership.

By including the intrinsic costs of pollution in the price of manufacturing inputs, the government can create incentives for corporations to develop more efficient and less polluting methods of production. Recent moves to increase the cost of energy, raise grazing fees on federal land and implement markets for trading pollution permits are all examples of using market forces to enhance environmental preservation. Increasing the costs of higher polluting forms of energy, such as through a carbon tax, would further increase incentives for corporations to move toward sources of energy that are less polluting and also towards methods of increasing energy efficiency. While these and other regulations will cause relevant industries pain through restructuring, Japan's example shows that the technologies and manufacturing methods developed in response to these regulations will eventually become a comparative advantage corporations and industries may exploit.
Unless industries and governments competing with Japan understand and learn from its example, they will continue to lose ground to the more efficient Japanese industries.

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Beware of the Tiger: The Hidden Agenda of China's Environmental Foreign Policy

Michael Jacobson

This paper details how China is using international concern over Chinese environmental issues as a tool to gain greater acceptance in the international community and increase domestic legitimacy by obtaining foreign aid from international organizations and developed countries. The environment, however, has only been an instrument of Chinese policies, which have resulted in few environmental improvements. The author argues that the potential for Chinese "environmental blackmail" has important ramifications for U.S. policymakers who are also concerned with promoting human rights and checking the power of the Chinese Communist Party.

Politics and economics are not usually considered to be the best bedfellows of environmental protection. Historically, the strong regulatory hand of government has been seen as the primary benefactor of environmental protection. Far too often political or economic decisions have had tremendously adverse effects on environmental quality. This paper will attempt to address how the interplay of these powerful political and economic forces are used as the basis for China's foreign policy concerning the environment, and to elucidate how China uses the issue of the environment in

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its foreign policy efforts. I will argue that, despite rhetoric to the contrary, China uses environmental issues primarily for two major goals: bolstering the international prestige of the state and the domestic legitimacy of the regime. Protecting the environment is not listed as a major policy goal. As I hope to show, environmental protection is considered an ancillary goal that rarely takes precedence over economic development and is used primarily in order to attain the primary goals of prestige and legitimacy.

This contention, if true, would be important for framing the discourse on China’s foreign policy efforts related to environmental protection. Not only would this focus research and policy analysis on different aspects of the central government’s efforts, but it should also cause policymakers outside the People’s Republic of China (PRC) to reevaluate their own strategies and policies if environmental protection is in fact their primary goal. Additionally, the methods for determining foreign policy success would have to be very different: Chinese policies must be seen as seeking to increase prestige and legitimacy and not to decrease water or air pollution sources under a regulatory program. To someone whose primary interest is in improving China’s environmental quality, how its pursuit of these goals will effect improvements in China’s environmental quality remains an important question. It is possible that attainment of these goals will have a positive side effect for the environment; thus, it is important to look not just at the attainment of non-environmental goals, but at how these goals may also benefit China’s environment over the long term. Of course, it is also possible, even likely, that policies carried out in the name of environmental protection but in fact driven by other unstated purposes may be completely contrary to environmental protection.

Ultimately, this paper calls into question China’s fundamental policy objectives regarding environmental protection. While the divorce between rhetoric and reality is by no means the exclusive province of the PRC, the degree of environmental degradation in China and the government’s lack of real devotion to environmental protection are a potentially catastrophic combination from both a Chinese and global perspective. My explicit assumption is that all countries ought to pay more attention to environmental issues in concrete terms; their use of the guise of environmental protection to attain regime legitimacy and economic development is therefore
questionable, pitiable, and potentially tragic.

The format of the paper is as follows: the first section attempts to define the PRC's foreign policy goals and policies related to environmental protection. There then follows a very brief description of China's general environmental conditions. Next, I present China's experiences with international organizations to show how China has used the international arena for attaining legitimacy goals in other arenas. I then analyze China's efforts to appear as an environmental leader in the international community and to obtain foreign aid. The domestic aspects of China's development and environment line are then analyzed to show the separation of rhetoric from reality. Lastly, I offer some concluding observations about the role of the environment in Chinese foreign policy.

**Definition of China's Goals and Policies**

The issue of defining goals for the PRC is neither straightforward nor foolproof. Indeed, many of the efforts to intuit and interpolate goals from statements and actions of the government are fraught with contradictions. The definition of goals and policies also depends on perspective and priorities. As with any government, PRC policy statements must be analyzed knowing that the statements may not have a clear connection with subsequent governmental action. My approach will be to look at explicit policy statements, attempt to interpret their actual or unstated meanings, and use governmental action as the real indicator of policy direction. Using this approach, there appears to be a variety of goals and policies related to China's environmental protection efforts. In addition, the sources of these goals and policies (either domestic or international in scope) are important elements in understanding Chinese activities related to environmental protection. I will attempt to define several goals, policies, and sources and to explicate any potential linkages.

There are several potential goals related to China's foreign policy on the environment, some explicit and some implied. The government's explicitly stated goal is to protect China's environment (Qu 1991; More Reportage 1992; Continuing Reportage 1992; UN Conference 1993). This goal is often stated and must be taken seriously in any analysis. I would suggest that two additional unstated goals of the government that in fact take priority over the goal of environmental protection are gaining international prestige...
Beware of the Tiger

for China and increasing the domestic legitimacy of Chinese Communist Party (CCP) rule. One could argue that there is an intermeshed quality to these goals. My contention is that in fact, environmental protection is not a fundamental goal (as stated by the PRC) but is used just as a policy tool or option by the government to attain the actual goals of prestige and legitimacy.

For each of these three goals, there are several policy options available to the government. The policies used to attain the goals are also somewhat overlapping and related. Foreign policies to attain environmental protection might include gaining technical assistance for adopting domestic policies and regulations, seeking aid to pay for environmental protection technology and training, and being party to international environmental agreements and regimes. In order to increase China’s prestige in the world community with regard to environmental issues, foreign policies might include joining international organizations and regimes, playing a leadership role in organizations and events (such as UNCED), and acting as a leading state in regime negotiations. If regime legitimacy were the primary goal of environmental foreign policy, policies might focus on increasing international prestige for China, obtaining financial aid to address environmental problems, and pursuing policies that reflect the people’s desires (which may or may not be focused on environmental protection). Seeking foreign aid on this view is a policy used to support legitimacy claims, rather than a primary goal in and of itself.

Sources of the goals are equally challenging to derive, but I offer some possible suggestions. Domestic critics and international pressure can be reasons the government might adopt environmental protection policies. The primary domestic constituencies and critics would be within the state or Party bureaucracy, a pattern seen in other contexts such as energy development (Lieberthal and Oksenberg 1988). Domestic power struggles have been known to play a role in setting environmental priorities, as occurred with the conflict between Li Peng and Zhao Ziyang over the Three Gorges Dam (Moritz 1989). Non-governmental domestic critics of Beijing’s environmental policies, meanwhile, appear to have received treatment similar to that administered to other creators of “chaos” in the wake of the Democracy Movement of 1989 (Moritz 1989; He 1991). The government’s general concern over its citizens’ health and well-being, of course, cannot be ruled out—the government
could use the international arena in order to obtain aid to satisfy domestic critics or reach out to foreign governments concerned with China's environmental practices.

Leadership insecurity and concern over China's past might also be sources for goals related to improving international prestige. China has used a variety of international contexts for improving status and prestige (which I discuss below), and the environment is another potential avenue to integration into the world community and play a significant role. Regime legitimation is a fundamental factor that can also play into international foreign policies. The government's emphasis on economic development as a source of legitimacy (Tyler 1993; Tyson 1989) could lead to attempts to address environmental protection efforts within the context of economic growth (or to prevent any economic hindrance). As I hope to show, this is in fact a major theme of China's environmental policy.

Thus, with China's foreign policy efforts related to environmental protection we see a series of cascading and interwoven goals and policies. Different goals may at times conflict, and policies may be used to satisfy more than one goal.

**THE SCOPE OF CHINA'S ENVIRONMENTAL PROBLEMS**

While this paper is intended primarily as a policy analysis, the reader may find some information regarding China's environmental condition and its role in the global environment to be useful. Much of the generally available literature regarding China and the environment is related to depicting China's environmental conditions (He 1991; Smil 1984, 1993).

The nature and extent of China's environmental problems are rather overwhelming. China faces numerous problems related to traditional resource depletion, such as deforestation, soil erosion, loss of agricultural land, overfishing, endangered wildlife, and habitat destruction. In addition, China has a host of modern pollution problems. The pollution of air and water resources is particularly severe: there is increasing incidence of acid rain; 80 percent of its rivers are polluted; and there are pervasive problems of solid waste and noise pollution (China Fouls 1991; Tyson 1990a). China is considered by some authors (He 1991; Smil 1984, 1993) to be one of the most polluted areas on the planet. While different parts of the country do not suffer equally, the geographic
extent of these problems coupled with their severity is unrivaled among developing countries. While China's efforts to protect the giant panda receive the most attention in the foreign press, resource degradation and pollution are already affecting the human population as well as the biota (Chinese Suffer 1993). The Hong Kong press has written that China's environmental conditions are "catastrophic." (Official 1992).

Beyond the suffering of the Chinese people and biota, China's strained environmental conditions have aroused regional and international concern. Japan is concerned about acid rain and potential nuclear fallout from China's eastern provinces (Japanese Minister 1992). China, along with Japan, Russia and Korea, are beginning to establish a Regional Seas Programme under the auspices of the United Nations Environment Programme to address extensive contamination problems in the Bohai and Yellow seas (North-West 1992). In the global context, China is considered to have the third highest carbon dioxide emissions in the world, behind the United States and former Soviet Union (World Resources Institute 1990). Given China's currently low energy efficiency (World Resources Institute 1990, 25, 147) and the stated prominence of coal in the current modernization drive (Official 1992), China is likely to have a major role in carbon dioxide emissions in the next half century. Although chlorofluorocarbon (CFC) emissions in China rank it only eighth in the world (Whitcomb 1992), its future use of refrigerators, air conditioning, and cars is likely to cause these emissions to grow dramatically. China's policies on energy use, greenhouse gas emissions, and ozone depleting chemicals are therefore of interest to the entire global community.

**CHINA AND INTERNATIONAL ORGANIZATIONS**

Several authors have noted China's efforts to gain international prestige by seeking acceptance in the international community. Samuel Kim (1992) has presented a sophisticated analysis of China's use of international organizations in its efforts for international legitimacy and prestige. Kim notes the importance of the "enduring resonance" of the Chinese government's search for legitimation, the primacy of legitimation as a continuing foreign policy objective, and the profound international and domestic crisis brought on by the Tiananmen massacre in 1989. Kim also
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posits China's foreign policy toward international organizations on a maxi/mini principle: seek maximum benefits while retaining minimum responsibilities. He suggests that international organizations have been the key to China's ability to restore its international prestige in the aftermath of Tiananmen but that domestic legitimation will not come so easily.

Gerald Chan (1989) analyzed the role of numerous international non-governmental organizations (NGOs), none of which were environmentally oriented, and found China has used participation by involved individuals and local organizations "as agents to extend China's external policy, while at the same time helping to introduce outside (mainly Western) ideas and practices to meet China's modernization needs." (Chan 1989, 153) This relationship can be seen as direct because of the extensive involvement of the State and Party in Chinese NGO activities. In addition, China's participation with international NGOs has served the process of strengthening "mutual legitimization" between China and the world (Chan 1989, 154-155).

Feeney (1989) has also noted that one benefit of Chinese membership in multilateral economic institutions has been the "[conferral of] a large measure of global legitimacy on China's modernization program and political leadership." While the increased access to funds from these institutions is the main benefit of China's foreign policy posture, the legitimacy factor cannot be ignored.

An early book on China's compliance with international treaties (on topics ranging from fisheries and trade agreements to the Korean Armistice) noted a high degree of compliance with a host of formal international treaties (Lee 1969). While the book does not suggest explicitly that Chinese compliance was intended to increase China's international standing, it does note that such compliance is important in evaluating China for acceptance into the United Nations and "into a world community living under law." (Lee 1969, 5)

That China has used diplomatic and nongovernmental organizations to advance its goals is relatively well known. The challenge for the balance of this paper is to show how China's involvement with international environmental activities has served to strengthen China's international and domestic political position.
CHINA AND INTERNATIONAL ENVIRONMENTAL ISSUES

In contrast to the relative wealth of material on Chinese participation in international economic organizations, Chinese international environmental politics has received relatively scant attention among scholars. The following analysis is based largely on materials presented in the Foreign Broadcast Information Service (FBIS) and a few ancillary articles and books.

World Leadership

The first measure of Beijing's involvement in international environmental issues revolves around the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in June 1992. China used UNCED as an opportunity to provide its own view of development and environment issues and as a forum to provide leadership for other developing nations. As a precursor to UNCED, China served as host to the 41 developing countries that eventually adopted the Beijing Ministerial Declaration on Environment and Development (Beijing Ministerial 1992). In this Declaration, the countries adopted several positions which were to be seen again in the North-South splits at UNCED. Three major themes come across in the Beijing Declaration. The biggest theme is that developed countries will need to shoulder the financial and technological burden for transfers to developing countries. Developing countries will make efforts to protect the environment, but only at a very low level without substantial financial and technological transfers from the North. Another theme is the relative blame placed on the developed countries for the earth's environmental problems. The last major theme is that developing countries do not support the application of international environmental standards if it will hinder their future development. The Beijing Declaration was sent to the United Nations General Assembly for inclusion in UNCED Preparatory materials (United Nations 1991a). China’s hosting of the meeting and role in formalizing the developing nation perspective increased China’s credibility among developing nations and made developed nations recognize that they will have to address China's concerns in order to work out a final compromise on positions adopted at UNCED.

In the vein of increased economic aid for environmental protection, Beijing developed a proposal for “The Green Fund” as
part of the Beijing Declaration. In the Green Fund proposal, countries would be assessed special fees under a gross national product or United Nations membership assessment formula to provide money for global issues of relevance to developing countries: preserving forests, increasing freshwater supplies, and preventing soil degradation [as opposed to global warming, ozone holes, and biodiversity seen by many developing countries as strictly Northern concerns (Porter and Brown 1990)].

In contrast to the conciliatory role played by China relative to multilateral economic organizations (Feeney 1989), China has taken a more aggressive role in defining fairness and appropriate levels of funding for international environmental matters. I would suggest that this is because the economic organizations have tremendous financial leverage; in contrast, the Global Environment Facility (GEF) and other funds for environmental protection present only a small loss of resources if China takes a "principled" stance. This behavior may also be a replay of past Chinese evolution in economic matters from policies of hostile posturing to those of system reform and finally to those of system maintenance (Feeney 1989). That China is able to provide a voice for other developing countries means that China is not only contesting the adequacy of international organizations but can also be the first in line if the lending volumes and policies do not change.

During UNCED, China continued to push the themes enunciated during the Beijing Ministerial Meeting. China reiterated over and over that the UNCED effort was a good start, but that the lack of financial commitments from the North was a serious drawback (Environment Official 1992; Rich Nations 1992; Xinhua Looks 1992). China linked up with the Group of 77 in calling for dramatic North-South structural economic reforms to assist environmental protection efforts (Deng's Daughter 1992). China continued to place blame on past actions of the developing countries, partially in order to minimize its own role in environmental degradation (Environment Official 1992; Beijing Host 1992; Daily: Largest 1992). Qu Geping has said:

Environment and development are linked with each other and the issue of environment cannot be resolved alone. The root cause of environmental problems in developing countries is poverty and backwardness. Each country enjoys the permanent sovereignty over
its environment and natural resources, not allowing others to interfere in its internal affairs on the pretext of environmental protection (Xinhua Interviews 1992).

This seems a very clear statement that China views development as more important than environmental protection and that other nations have no right to impose "developed" environmental standards on a developing country. Each of the above issues (financial commitments, blame, and national sovereignty) were reinforced by Li Peng's formal speech before the UNCED delegates (Li Peng Issues 1992). While China demands that the North meet all of China's demands, it seems to refuse to acknowledge that all countries should find some common ground on environmental protection. To the credit of developing countries, including China, the nature of the environmental debate has been significantly broadened to include issues directly related to development.

Several Chinese news reports noted the great importance China placed on UNCED activities. The importance of the Beijing Declaration (Official Pledges 1992), China's delegations (Li Peng to Give 1992), and China's participation were all noted as significant contributions to the UNCED effort. The government made sure that its residents knew that China "assumed an active and cooperative attitude. Many countries believe that China is playing a positive and constructive role in the current conference." (Environment Official 1992) Beijing is clearly trying to use the conference activities to bolster its domestic legitimacy by highlighting China's foreign policy "successes." Even though the Hong Kong press credited China as the leader of the developing countries at UNCED, they suspiciously noted China's policy pronouncements as advocating economic progress at the expense of the environment (Environment Considered 1992).

After UNCED, Qu Geping reported to the Standing Committee of the Seventh National People's Congress. In his remarks he noted that leaders from developing countries:

expressed the hope that we would play a greater role in such major international issues as environmental protection and development, and praised China's cooperation with their countries as a model of South-South cooperation. Leaders from Western countries took our role seriously and signaled a desire to strengthen relations with us. Delegates from various countries expressed hopes for
further developing relations with us . . . This amply demonstrates
China's growing international status, influence, and prestige (Envi-

Even if the perceptions of the other countries are not entirely
accurate, China's genuine interests in international environmental
diplomacy are laid bare: status, influence, and prestige.

In a continuation of China's leadership role on environment and
development issues, China has recently presented the first coun-
try-specific "Agenda 21" follow-up document, stating what actions
China will take to ensure sustainable development (Experts Unveil
1993). The enthusiasm for completing the document is likely
motivated as much out of interest in obtaining the first available
aid to come out of theUNCED process, as much as genuine interest
in environmental protection.

I must state that I am rather sympathetic to China's demands for
transfers from the North, its emphasis on the past and continuing
pollution responsibilities of the North, and its resistance to the
imposition of universal limits on developing countries. It is in the
best interest of the North to accede on several of these issues. We
must recognize, however, the significant role many developing
countries (China in particular) continue to play in the degradation
of the world's environment. By focusing on the North's responsi-
bilities, China seems willing to bypass its own responsibilities for
free-rider environmental protection while demanding that others
do all the work (another use of Kim's maxi/mini principle). China,
because of its current level of sulfur dioxide emissions and future
potential for CFC emissions, could effectively play pollution
blackmail if it chooses (Tyson 1989): either developed nations give
significant transfers of financial and technological assistance or
China will ignore international calls for pollution control at the
expense of global climate change and ozone destruction. Nothing
indicates that China is willing to resort to this policy,8 but Beijing's
repeated insistence on aid cannot go completely ignored by
foreign governments whose domestic constituencies are more
environmentally concerned and politically powerful. The environ-
mental trump card is thus China's, for ignoring developing country
demands has global repercussions for developed and developing
nations alike (even if developed countries would have increased
resources to bring to bear in cases of massive calamity).
International Aid

One of the primary policy objectives of the Chinese government has been to secure aid from a variety of international sources. China has obtained aid and investment from multilateral economic institutions, international organizations, other countries (via bilateral agreements), the private sector, and NGOs.

Multilateral Economic Institutions

China has obtained large amounts of aid from the World Bank, the Asian Development Bank (ADB), and the GEF. The World Bank alone provided over $500 million for six projects during 1991 and 1992 (Whitcomb 1992). Among the key projects funded through the World Bank include: Tianjin Urban Development and Environment (urban planning for sewage and waste disposal), Ship Waste Disposal (eliminating ship discharges from six coastal cities), Rural Water Supply and Sanitation (providing drinking water for six western provinces), Beijing Environment (primarily planning, sewage, and waste facilities), Tarim Basin (desert reclamation), and Liaoning Urban Infrastructure (upgrading water resources and urban transportation) (Whitcomb 1992; World Bank 1992). Overall, the World Bank is expected to spend from $1.2 to $1.5 billion on environmental projects in China in the next five years (Whitcomb 1992).

ADB is also a big economic player for China, providing major funding for environmental projects. While individual ADB grants in the past have been relatively small compared to those from the World Bank, the total provided was $3.44 million for eight projects (Whitcomb 1992; China—ADB 1993). ADB’s plans for 1993-1996 include providing loans totalling $2.07 billion for 15 environmental projects (China—ADB 1993). Future projects will cover a variety of environmental issues, such as pollution monitoring, sustainable resource utilization, biodiversity, resource conservation, and energy efficiency. The ADB’s strategy is to try to integrate environmental protection and resource conservation into projects financed by the bank, provide support for increasing national and sectoral institutional capacity, and identify (and fund) specific environmental investment projects (China—ADB 1993).

The GEF (established by the World Bank, the United Nations Environment Programme (UNEP), the United Nations Develop-
ment Programme (UNDP), and supporting countries including China) funds projects specifically addressing global environmental problems. GEF has supported three projects totalling $42 million: a coal-bed methane project, a ship waste project, and a study of greenhouse gas emissions (Whitcomb 1992, 32, 35). A Sichuan Gas Project and an unnamed biodiversity project (totalling $30 million combined) are said to be in the GEF funding pipeline (Whitcomb 1992, 35).

International Organizations

Two United Nations programs, UNDP and UNEP, have both given aid to China for environmental issues. Of the two, UNDP has clearly provided more support: 19 projects totalling $40 million (although how many of these are strictly “environmental” is unclear) (Environmental Protection Pact 1992). At least three projects are explicitly environmental in scope: water resource management in North China ($3.41 million), CFC emissions minimization ($690,000), and a coal program addressing coal seam gas and natural gas ($7.4 million) (Environmental Protection Pact 1992; Whitcomb 1992). Significantly, unlike many other grants, the coal program is receiving an equal match from the Chinese (Environmental Protection Pact 1992). Future UNDP projects are expected to focus on environmental issues to the tune of $35-40 million per year (Whitcomb 1992, 35). Although UNEP’s funding is more severely constrained than UNDP’s (the total UNEP budget is approximately one million dollars), UNEP has provided funds to address water pollution and management in Zhejiang Province (Whitcomb 1992).

Bilateral Aid

China has not restricted its aid efforts to economic institutions and international organizations. Because bilateral aid inherently infringes less on national autonomy than does participation in the multilateral arena (Ruggie 1972), China has sought to work directly with potential donor countries.

Japan is the most active and largest bilateral donor to environmental projects in China. Japan’s interests arise from their downwind location from China’s coal-fired power plants and consequent vulnerability to acid rain fallout. Japan’s efforts have focused primarily on funding an environmental center in Beijing and acid
rain mitigation projects (Jones 1992; Japanese Minister 1992; Discuss Environmental 1992; Environmental Official on International 1992). The Japan-China Friendship Environmental Protection Center, established with a contribution from Japan of 10 billion yen, is intended to assist in cooperative environmental monitoring, research, and technological transfer (Discuss Environmental 1992; Jones 1992). Japan is also installing a de-sulfurization plant to decrease sulphur emissions from coal (Jones 1992). The aid effort has also allowed Japan to hold policy discussions with China on acid rain, and Japan has served as the lead on a cooperative effort with China, Mongolia, South Korea, and Russia to address acid rain (Jones 1992).

U.S. involvement has remained at a fairly low level, due primarily to the ban on U.S. Trade and Development Program activities in China. The U.S. Environmental Protection Agency has participated in some collaborative efforts; American technology and expertise have been provided to China through the U.S.-Asia Environmental Partnership (Whitcomb 1992).

Canada has also been a donor of aid focused on environmental issues. Funding from the Canadian International Development Agency helped establish the China Council for International Cooperation on Environment and Development (New Council 1992; Wu Xueqian 1992). Formally set up by China, the Council's primary mission is to develop proposals to help government decision-making and attract foreign funds and technological assistance (Wu Xueqian 1992). Prestigious international economic and environmental organizations, such as the World Bank and the Worldwide Fund for Nature are members of the Council.

European aid has been largely in the form of soft loans which require use of donor country specialists. Austria, Italy, and Germany have all used soft loans to provide pollution abatement equipment to China (Whitcomb 1992, 38). Britain has donated $4 million for water quality studies and improvements for the Huangpu River in Shanghai as part of a larger World Bank sponsored project (Britain Gives 1992).

The Private Sector

Another focus for obtaining revenue and finances is through China's environmental technologies as export products. China is very interested in developing its environmental protection indus-
try, and many commentators focus specifically on actions taken by
the state to encourage and develop the business and production
side of environmental protection actions (Environmental Protec-
tion Work 1992; More on Song's Remarks 1992; Green Industry
1992). Because the environmental protection industry is seen as a
potential source of revenue, the government is encouraging the
development of the industry. Included in this effort has been the
highlighting of Chinese technology at UNCED-related activities
(Song Inaugurates 1992). Environmental protection requirements
are seen not only as benefitting the environment but also as
promoting the development of the environmental protection
industry (Xinhua Notes 1992). Thus, China is looking at environ-
mental problems as a way to increase private sector revenues from
the international (as well as domestic) market.

**NGOs**

Since domestic NGOs play a relatively minor role in Chinese
politics, it is not surprising that there is little information about such
groups. One report does mention that a group called the Chinese
Society of Environmental Science has been established to show
"that the Chinese people are deeply concerned about the world's
environmental problems." *(Environmental Delegation 1992)* China
has cooperated with the World Wildlife Fund to protect pandas
and cranes (Environmental Official on International 1992), al-
though it seems that the effort has largely been another attempt to
bring in foreign experts and money with little success for the
animals concerned (Schaller 1993; Begley 1993).

Some mention should be made of the interests of the donors
who are involved in Chinese environmental policies. While global
harmony is always an important goal, it seems that donor countries
(particularly in the case of bilateral aid packages) are more
interested in financial benefits for themselves than environmental
improvements. Japan, for example, is developing a model coal de-
sulfurization plant with hopes of selling more in the future (Jones
1992). Private companies, in the U.S and other developed coun-
tries, are keenly interested in obtaining contracts for environmen-
tal protection efforts funded through multilateral economic insti-
tutions, international organizations, or bilateral mechanisms be-
cause such contracts are thought to offer excellent entree into the
overall China market (Whitcomb 1992). U.S. interest in seeking
future opportunities for American private sector firms is manifest by the efforts of the U.S.-Asia Environmental Partnership to boost “environmental” exports to Asia, establish environmental business centers in Asia, form a project clearinghouse, and assist with export financing and licensing (Whitcomb 1992).

That China has been relatively effective in obtaining aid from such a variety of sources, even in the aftermath of Tiananmen, is clearly a mark of its foreign policy success. With over $600 million in three years (all post-Tiananmen) and at least $3.3 billion in the pipeline from World Bank and ADB alone, China has been able to rely on outside capital almost exclusively to address its environmental problems. This has allowed the government to say that it has been paying attention to environmental issues ($600 million means that environmental issues cannot have been completely ignored), while focusing on economic development as the real priority and investing its own capital in projects of domestic political importance. This success must be cautiously evaluated, however, for obtaining aid does not necessarily translate into improved environmental conditions. Despite China’s incredible success in obtaining aid for environmental projects, the total amount is clearly far from adequate to cover the cost of massive systemic environmental protection efforts. The China Business Review notes that the amount of aid has led to optimism at the National Environmental Protection Agency, which

might reflect a naive assumption that China believes it can rely on foreign assistance to solve its environmental problems . . . While the international community has displayed a willingness to help China deal with some of its environmental problems, Beijing will clearly have to devote more of its own resources to complement these programs. (Whitcomb 1992, 32).

The fact is that the international community will never be able to afford to underwrite all, or even most, of the programs needed for pollution control and environmental restoration, the costs of which could run from $46.7 to $170 billion until the year 2000 (Tyson 1990b; Tyson 1990a).

China seems to be content in the short term with milking the international system in order to assuage domestic and political critics on environmental issues. Major structural changes in China’s environmental protection approach, such as changing the pricing system for energy and other goods towards a market approach, are
too politically risky (Tyson 1990b). Not only would structural changes increase prices for key goods such as the ubiquitous charcoal cooking briquette, but increased costs generally would hinder economic growth, something anathema to China's current leadership. The government is thus content (even happy) to receive foreign aid to develop showpiece environmental projects to use an indication of its environmental protection concerns. There is apparently no concern among the leadership that this piecemeal approach is having little impact on improving environmental conditions. China does not appear to have a "wish-list" for environmental projects that might direct foreign aid in a more rational way; rather, it seems willing to allow donors to pick and choose which problems they consider priorities.

China is, however, very careful about managing its public relations regarding aid donations, and donors clearly are not allowed to gain political mileage at China's expense. China is particularly sensitive to any implication that aid is the source of decreased Chinese autonomy; for example, Japan, sensitive to anti-Japanese sentiment as well as the national autonomy issue, has not played up potential acid rain problems in its donation of environmental aid (Jones 1992; Japanese Minister 1992; Discuss Environmental 1992; Environmental Official on International 1992). Instead, China portrays itself as seeking aid to address these problems with Japanese assistance. China has also used aid donations as a platform for reinforcing its stance against other states' use of environmental issues to interfere in China's internal affairs. Song Jian has said that "no strings whatsoever should be attached to development assistance, nor barriers to trade set up under the pretext of protecting the environment." (Allen 1990) China seems to want aid but not instructions as to how or where to spend it, all the while sustaining the charge that developed nations are to blame for global pollution and therefore ought to pay for China's pollution problems.

Part of China's fundamental problem in seeking foreign aid and technology is the challenge such aid poses to Chinese society. It is well known that many of China's best manufacturing plants are not operating due to lack of maintenance, expertise, or other resources. The infrastructure needed to utilize Western technology, much less the additional financial resources, is unlikely to be available in China. For example, high electrical needs for a sewage
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...treatment plant may preclude its use even if it is built according to specifications. Low technology and institution building, not flashy showpieces, seem to be the best approach for a developing country with limited resources. The historical reliance of China on turn-key approaches to development (from the Soviet influence in the 1950s through the Western efforts of the 1970s) will not work in the environmental protection arena. Pervasive problems, from industrial coal use to uncontrolled rural enterprises, make a centralized command-and-control approach particularly susceptible to failure. That China continues to pursue the old, high technology turn-key strategy indicates either a lack of thoroughness in its analysis, a belief that other methods are unworkable, or a callousness about environmental protection.

**DOMESTIC ASPECTS OF THE “DEVELOPMENT AND ENVIRONMENT” LINE**

In this section, I present an exploration of the domestic aspects of China’s development and environment policy as further evidence that domestic legitimacy is the primary goal of the Chinese government. In parallel with its international policies, the domestic actions of the government clearly show where China’s priorities lie relative to environmental protection.

During UNCED, several prominent leaders used the conference to publicize China’s environmental policies. What is apparent from the information reported in the Chinese press is the degree to which environmental issues are yet another manifestation of China’s economic policies such as the Open Door and the Four Modernizations. In rhetorical terms, environmental protection in China is usually considered as part of China’s overall economic development approach. Li Peng has said that China’s policy is to protect the environment while the country continues to develop (New Council 1992), or Environmental Protection with Chinese Characteristics (the actual title of a book written by Li). Environmental protection is considered a basic part of China’s domestic policy (Li Peng: Delegation 1992): the 10-Year Program for National Economic and Social Development and the Eighth Five Year Plan both include environmental protection activities, specifically the improvement of environmental conditions in cities and the control of industrial pollution (Activities 1992). However, spending levels in these plans indicate that environmental protec-
tion is not a priority budget item (Whitcomb 1992). Industries have also included environmental protection activities within their annual production plans (Environmental Quality 1992), although what this means for actual pollutant reduction or control remains unclear. Despite these pronouncements, however, environmental protection clearly takes a distant second place behind economic development, a view echoed by Hong Kong journalists (Environment Considered 1992). When pressed, Chinese officials will note that “without steady economic development, it is impossible to meet the people’s basic needs in life, let alone protect the ecosystem and the environment.” (Environment Considered 1992, 25). Economic development is expected to produce the resources to deal with the pollution that is an unfortunate but necessary part of this developmental approach.

A second characteristic of Beijing’s announcements is the degree to which environmental protection efforts are another aspect of China’s Open Door policy. Song Jian has “urged China’s environmental departments to ‘open themselves wider to the outside world’ in absorbing modern technology, experience and foreign assistance” and that foreign investors will enjoy preferential treatment if they “help develop new environmental industrial projects in the country’s ‘open development zones.’” (Environmental Protection Work 1992) Qu Geping has said that “to push forward China’s economic development and environmental protection process, China has to absorb and borrow every fruit of civilization created by human society.” (Daily Reports 1992) The development of the China Council for International Cooperation on Environment and Development was seen by China’s Vice-Premier Wu Xueqian to mean that “China wishes to open wider to the outside world in the field [of environmental protection].” (Wu Xueqian 1992) Even with the full blessing of the central government in opening toward the West, and given adequate funding, it is expected to take at least 10 years before China will have imported sufficient production technology to stabilize (not reduce!) chemical waste pollution levels (China Steps 1993).

There is also an attempt to integrate pollution control efforts with the “responsibility system,” one of the main planks of the economic reform efforts (Qu Remarks 1992). Often called the “polluter pays principle” in the West, the Chinese have adopted the idea under the rubric of the principle of responsibility. While this
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is considered to be one of China's major policies regarding environmental protection, it is not clear that adequate legal and administrative guidelines have been developed in order to ensure its implementation. At present, local government officials are given specified pollution prevention targets similar to any industrial output target, and their progress in meeting such targets is used to evaluate their overall performance (Further Reportage 1992).

Despite the fact that China has attempted to put itself in the forefront of political activities protecting the environment, it has hedged on actual adoption of environmental programs to reduce pollution. While it is difficult to determine the actual achievements of the Chinese environmental protection efforts, conditions do not seem to be improving. The Chinese claim to have promulgated a plethora of environmental laws and regulations, developed environmental standards, and trained personnel for law enforcement. China has been signatory to 20 international conventions (Progress Made 1992). Of course, its degree of compliance with and enforcement of the laws is totally unknown, the degree of stringency of the environmental standards is not clear, and the levels of competence and honesty within the enforcement establishment are suspect. Thus, as with almost all countries, progress in environmental activities is usually measured solely by improved administrative elements (inputs) rather than improved environmental quality (outputs).

China has made some significant advances, especially for a developing country, if administrative development is the primary criterion. Qu Geping has been responsible for setting up a number of basic environmental programs, including those to grant waste discharge permits and conduct environmental evaluations on enterprises (Government to Inspect 1992). Raising fees for permit issuance, however, and not discharge reduction, may be the major accomplishment, as enforcement of the permits is completely undocumented. In addition, collecting fines seems to be given higher priority than actually correcting the illegal discharges which the fines are meant to diminish.11 Either the enforcement system is severely strained (which is quite likely) or the government is tacitly acknowledging the importance of economic growth over environmental protection (also quite likely). Enterprises have been reportedly closed for environmental problems (although
many of these enterprises may merely have been moved to less densely populated areas to minimize their health impact), and several heavily polluting industries have been denied permits for expansion due to contamination problems (State Closes 1992; Economic Growth 1992).

Rhetorically, prevention is considered the key element of China's pollution strategy (Qu Remarks 1992; Li Peng Issues 1992). However, prevention either has failed or has yet to be implemented. A European observer noted that present policy is actually "based on punishing offenders rather than on prevention." (Official: Developed 1992) While China proudly notes that its tree-planting efforts have made total or per-capita carbon dioxide emissions very low (Foreign Ministry 1992; Spokesman Views 1992), this strategy is clearly not aimed at preventing or controlling carbon dioxide emissions from their source (coal burning) but at using carbon dioxide fixing by trees to offset the tremendous discharges from coal. Despite China's claims at focusing on preventative activities as the primary policy goal, the reality is that the Chinese natural environment continues to be severely strained by air and water pollution, solid waste, and habitat destruction on a massive scale.

The state will reportedly spend over 80 million yuan (roughly $15 million) on environmental protection from 1992 to 1995 (Environmental Protection Work 1992), although it is not clear how the money will be allocated either sectorally, geographically, or politically. The 1992 portion represents 0.8 percent of GNP, which, while an increase over the 0.7 percent allocated for 1991, falls far short of the 1.5 to 2 percent deemed necessary by the National Environmental Protection Agency to address pollution problems seriously (Whitcomb 1992). Whether this amount is adequate to address problems allegedly causing 90 million yuan in damages yearly remains a major question (one which frankly seems impossible to answer in the affirmative). An interesting point of fiscal reference is the $11.6 billion available for the six-year National Development Plan of Taiwan (Li Teng-hui 1992).

**CONCLUSIONS**

In a fascinating portrayal of business conditions in China, a business periodical's guide to investment presents the following forecast for the next 1.5 to 5 years:
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The Chinese authorities will continue to pass environmental regulations. They will give the appearance of serious attention to such issues, but economic development will take priority over environmental protection throughout the forecast period. International and domestic pressure will force the Chinese government to pass more environmental protection measures, although individual cities are likely to enact more effective laws than the central government. Urban officials will be prompted by the slow but steady growth of consumer concern... Chinese authorities will be reluctant to pursue China's hundreds of thousands of coal-burning enterprises with too much vigor... International pressure and foreign investors' standards will set examples that Chinese industry will follow, but progress will not be rapid (The Business Environment 1993).

As this paper suggests, China's environmental protection effort is merely "lip service." The business community is adroit enough to read between the policy lines and is eager to hear the call to arms.

Ultimately, actual adoption of environmental protection as a primary goal (rather than just as a rhetorical tool) would likely lead to more significant improvements in China's environmental conditions. The circuitous route of gaining prestige (which at best only indirectly leads to stronger environmental protection) and obtaining foreign aid (which has much higher potential for leading to environmental improvement) will never be as effective as directly pursuing environmental protection as a primary goal. An aid emphasis on high technology showpieces rather also limits the degree to which aid will be effective in improving major portions of China's environment. I do not contend that China has no foreign policy goals related to environmental protection, but rather that the goals of international prestige and national regime legitimacy take precedence. The environment is therefore another forum in which China can attempt to increase its role in the world community and bolster the CCP for domestic purposes.

What I find more vexing is the implication of the "development over environment" approach for China's environmental quality. Given the current level of environmental degradation, the environment cannot survive China's suicidal promotion of economic growth. Where soil erosion was once a key problem, wholesale elimination of the natural environment by development is now the issue (Theroux 1993). If the government is able to obtain additional funds from this growth, then there may be some hope, but
since most growth is directed by the provinces with little funding going back to the Central government, this hope seems optimistic and premature. The issue of the open door policy also raises questions as to the degree to which China will be able to accept "every fruit of civilization" over the long term. On this front, I am more positive but in no way optimistic.

The current crisis of legitimacy precludes the government from putting any limits on economic growth. The recent Communist Party Central Committee meeting concluded that economic growth should move full speed ahead (Tyler 1993); environmental protection efforts will therefore serve as an obstacle to the maximization of economic production. If the government attempts to limit growth, with resulting decreases in income and material wealth, the fundamental position of power for the Communist Party may be at stake. Because the strategy of economic development is inextricably linked with domestic regime legitimacy, environmental protection is politically, structurally, and fundamentally prevented from getting the attention it deserves.

Thus, China has used the issue of environmental protection to help it achieve its goals in both foreign and domestic policy. China has gained greater acceptance in the international community and increased domestic legitimacy by obtaining foreign aid from international organizations and developed countries. Disappointingly, however, the environment has only been the means and not the ends in China’s foreign policy strategy.

Notes

1. He's book, which criticizes development strategy as much as environmental policy, was banned on June 4, 1993.
3. See especially Articles 7, 8, 9, 11, 14, 21, 22, 23, and 24.
4. See Articles 7, 8, 12, 13 and 22.
5. See especially Articles 3, 5, and 32.
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For a nearly identical representation of Li's views see World Meteorological Organization (1992).

Although Song Jian, Chairman of China's State Science and Technology Commission, has been reported as saying that Beijing cannot afford to spend the necessary amount to control pollution and that "the grim fact of environmental pollution on a global scale leaves us no choice but to pool our resources." (Tyson 1990a, 4)

It is quite likely that this is a government group with little non-governmental status. It is very interesting to note that this group was listed with groups such as Greenpeace and Friends of the Earth, and that only a "responsible person" of the society was available for comment about the group.

For the most tragic example, see Schaller (1993).

Over two billion yuan in fines were collected in 1991, double the amount collected in 1981. However, it seems that the discharges would have at least doubled during this time period based on economic growth figures (Beijing Hosts 1992).

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