

C O S U M N E S R I V E R C O L L E G E

# GLOBUS MUNDI

## THE ALUMNI ISSUE



### CELEBRATING 5 YEARS

DEPARTMENT OF  
POLITICAL SCIENCE &  
GLOBAL STUDIES  
**JOURNAL - VOL. 5**

# DEDICATION

Deans are supposed to facilitate faculty's ability to do their jobs. This means making sure professors have the resources they need in and beyond the classroom, helping faculty meet the needs of students in their programs and serving as liaison for faculty vis. a vis. the Instruction Office.

Ginny McReynolds came to CRC as HSS Dean in 2009 and retired last year. This program thrived under her leadership: we expanded our offerings, are able to publish a singular journal in the California community college system and established a competitive Model United Nations team while producing wonderful transfer students. They, too, acknowledge her contributions, leadership and compassion. Interestingly, they are amazed at how she was able to put up with .... me !

"Volume V - The Alumni Issue" is dedicated to my former Dean, Ginny McReynolds. On behalf of the students who flourished here under your leadership, we say "thank you." You are truly missed.

MARTIN F. MORALES

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# WELCOME TO VOLUME V, THE “ALUMNI ISSUE” OF GLOBUS MUNDI, THE OFFICIAL PUBLICATION OF THE DEPARTMENT OF POLITICAL SCIENCE AND GLOBAL STUDIES AT COSUMNES RIVER COLLEGE.



Last year, we had a dozen transfer students and another thirteen or fourteen students (their friends) who were done taking our classes - students from other majors – leave us. It seemed as if everyone was leaving. I’m pleased to report that we are slowly rebuilding and anticipate having a solid cohort to carry us into 2016. The oddest thing about how this cohort is coming together is tied to the much improved national economy, specifically, that as it improved our enrollments have gone down significantly. Recruiting is harder. Is a good economy bad for us? Obviously not. We continue. With the excitement of a new crop of students comes the anticipation of their interests, strengths and contributions. This year’s cohort, though small, is solid; their contributions and achievements are significant and detailed throughout this issue.

This year’s transfers include **Hiba Baloch, Talia Davison, Audrey Foulk, Tosh Fulton, Enrique Leyva, Daniel Lumbang, Cynthia Mesa, Ahryel Mitra, Brienna Rainey, Julian Ramos, Josh Shahryar, Josh Slowiczek, Amir Terovic** and **Danielle & Noelle Walsh**. To them I owe thanks for being the foundation for the new crop of students that have become next year’s cohort. They set the example in and outside of class, provided new initiates with mentorship and tutoring and each other with memories not usually associated with the community college experience. I will miss them and look forward to their visits.

This year’s Model UN was led by Noelle Walsh. Noelle led an amazing simulation in my International Relations class at the end of fall semester. From that simulation, in which she acted

as the Secretary General, she was able to recruit the majority of this year’s team and lead them through the country study, issues briefs, position papers, resolutions and parliamentary procedure processes associated with Model UN preparation. This year, CRC drew Turkey; additionally, this year’s team had World Press representation through **Audrey Foulk**.

On the last page of this issue you will find a list of patrons who made Model UN possible this year. If we were to create categories for the list, it would be my wonderful colleagues, Global Studies alumni, CRC administrators and friends of mine from college. I want to gratefully acknowledge the generosity of “**Anonymous,**” **Michael Patrick Duffy** and **Allam El-Qadah**, my classmates and very good friends from SF State. We survived 350 and Club 308! Thanks, guys. I also wish to take this opportunity to thank my recently retired and much missed Dean, Ginny McReynolds, for her patience, guidance and support for Model UN. Ginny was lured back by our Interim President, Whitney Yamamura – whom we also owe a tremendous debt of gratitude for all he does for the Global Studies Program and Model UN – and ran point helping us secure the necessary funding to make this team’s participation possible while she served as Interim VPSS. Despite the tremendous difficulties in securing funding, we will continue working towards a dedicated stream to fund participation at the regional and national level.

Last year, we introduced a departmental colloquium and I’m pleased to report on this year’s two presentations. **Julian Ramos** presented “*Silent Murder: Urban Marginality and the Failure of Modernity,*” an examination of urban marginality and the failure

of modernity to address the plight of its victims, predominantly urbanized African Americans. Julian is a political science major and leaves CRC for UC Berkeley. He intends to pursue his studies in political science and acquire a minor in human rights law before applying to law school. **Josh Slowiczek** presented “*Dogs of War, Days of Democracy*,” a work focused on the consequences of using of PMC’s (private military contractors). Josh’s paper was presented at the 8th Annual Community College Honors Research Symposium on May 2, 2015, at Stanford University. Josh will be attending UC Berkeley and double majoring in Journalism and IR. He plans on working as a journalist reporting from conflict zones as well as devoting time to NGO’s. This year’s Colloquium (and all departmental events) are viewable on-line at [https://www.crc.losrios.edu/areas/hss/pols/colloquia\\_and\\_events](https://www.crc.losrios.edu/areas/hss/pols/colloquia_and_events)

This year, we were pleased to present two on-campus programs with Shannon Vellone Mills, Professor of Anthropology. “Crossing Boundaries,” a series dedicated to introducing the anthropological perspective into other disciplines (also the subject of a paper by the same title, presented by Shannon at the Society for Anthropology in Community Colleges [SACC] Conference, Kailua-Kona, Hawaii, March 2-5, 2015), brought students, alumni and the community together to watch “Mass Graves of Guatemala,” and the Oscar nominated “Virunga.” These events were held in October, 2014 and March, 2015 and focused on forensic anthropology methods in the wake of the Mayan Genocide (Guatemala, 1954-1990) and the fate of the endangered mountain gorillas living in Virunga National Park, Democratic Republic of Congo, respectively. These types of events allow our students exposure to wider issues analysis and an extraordinary learning environment beyond our classrooms. We are, as always, indebted to Jim Lovett for his indefatigable work and support for our events. Next year’s series will focus on several different topics (Immigration Theater, the Psychology of Foreign Leaders and International Migration, Immigration and Human Trafficking) as we continue to bring our academic community together.

Despite our reduced numbers this year, we’ve been able to enjoy a few off campus activities together. I was fortunate to travel with alumni to Argentina this year. We visited Buenos Aires, Ushuaia and Mar del Plata – the capital, southernmost and main summer resort cities, respectively. We ate well, enjoyed the local culture and viticulture, too. Next winter, a few alums, some current

students and I will be travelling to Cuba to visit the island to see it before the inevitable tourist driven changes overtake the frozen in-time Cuba of the Revolution. A few students and I attended “*She Who Tells A Story: Women Photographers From Iran and the Middle East*” exhibit at the Cantor Museum, Stanford University in April; a few others attended random ethnic food festivals with me throughout the year (Stockton’s Greek Food & Cultural Festival, the SF Russian Festival, the SF Armenian Festival and the North Beach Festival). Campus tours were conducted this year for the following local schools: UC Davis, UC Berkeley and SF State. Additionally, accommodations, campus tours and invitations to classes were arranged through alumni at UCSD, UCLA and UCSB. And, of course, traditional Wednesday night dinners eaten at local establishments before Global Studies classes continue: they are now an institution.

This is “The Alumni Issue.” I remember calling the meeting in 2011 with that year’s cohort to discuss the creation of this journal and its importance to their academic and professional careers. My friend, Holly Sanderson (then my TA), was appointed Editor and oversaw every element of *Globus Mundi*’s launch. She set the standard for what this journal was going to be and managed it until she transferred to UC Berkeley; she graduated this year. Her successors include Taylor Martin and Emily Bills, both of whom transferred last year (AU and UCSB, respectively). Emily graciously agreed to serve as editor for this issue and we are fortunate to have her editing skill and experience.

Volume V begins with articles written by my wonderful departmental colleague, **Beth Huffman** and a dedicated team of our best students. They conducted focused research on “*Selling the Foreign: How to Engage CRC Students in IR*” in support of grant monies awarded to our Model UN by CASSL and the Committee on Cultural Competence & Equity. (Leslie Gale and Kathy McClain were instrumental in guiding us through the grant writing process and facilitating expedited funding to cover our registration fees, respectively. Thanks!) Beth’s articles will appear in the on-line version.

**Yuleima Lozano**, Alumni Chapter President, catches us up to date in “Alumni News.” Yuli attends UC Berkeley (she transferred last May) where she studies IR. Her article, “The Ethicality of Intervention: Rape as a Weapon of War,” is her second submission to *Globus Mundi* and addresses the consequences of systemic rape

as an instrument of war. Her article was inspired by “Brave Miss World,” shown at CRC last year.

**Joshua Slowiczek**, transferring to UC Berkeley, is publishing his colloquium paper, “The Privatization of Force” as a special inclusion in this issue.

**Ryan Neach**, recently awarded his Master’s Degree in IR from SF State, writes in “Becoming an International Pastime: The Difficulties of Migration for International Baseball Players into American Culture Migration and Baseball,” on the topic of how the quintessential American sport serves as a vehicle for immigrants’ social inclusion. Ryan has contributed extensively to CRC as both student and alumnus.

**Alicia Evans**, focuses her work on Albania. Her article, “When Enough is Enough: The Emergence of Albania’s Civil Society,” addresses the role the Mjaft played in ushering democracy in this Balkan state. Alicia transferred to Humboldt State and graduated with a BA in Anthropology. Alicia plans to apply to graduate programs next year.

**Francis Smiley** just graduated from MSU Bozeman with a BA in IR. Frank’s interests have always tended towards military affairs and he writes “Irregular War,” exploring different types of warfare options for the US as it continues to fight terror, globally. His plans are to continue on to graduate school in Security Studies on the East Coast.

**Nimra Syed**, finishing her first year at UC Davis, addresses the on-going problems inherent in the Patriot Act with “Exploring the Possibility of Reconciliation of US National Security Responsibilities.” Given the recent battle over the continuation of the Act’s sensitive provisions, Nimra’s article is very timely.

**Genesis Tang**, also finishing her first year at UC Davis (IR major), provides us with an interesting comparative view of the US and Mexican legislative branches of government in “Latin American Legislatures: A Comparison.”

**Amir Terovic**, leaving CRC for CSUS (to study Engineering), publishes his second article, “The Cuban Embargo: Origins, State and Future.” In it, he discusses the future of Cuba as it undergoes its transition from embargoed state to trusted neighbor.

**Christopher Zraggen** graduated this year from UC Davis with degrees in Political Science and History. His article, “The Fluctuation of EU Perception in CEE Countries,” showcases the ongoing issues faced by FEEC’s as they attempt to complete the EU integration process.

Five years is a good milestone to stop and measure progress from. I take a moment to reflect on all that has happened and realize that there are so many people to thank - for so many reasons. In no particular order and with apologies to those I’ve left off this list .... Those responsible for launching this journal

and supporting it/me: Holly Sanderson, Ginny McReynolds and Debbie Travis. Also, those who have and will continue to support and nourish it: Kristie West and Whitney Yamamura. My dearest friend, my colleague and sounding board for what is my life at and beyond CRC, Shannon Vellone Mills. The best departmental colleague ever: Beth Huffman. How lucky we are to have you ! My friends in the hall who I drive crazy with the perpetual student presence, loud music and political debates emanating from my office: Gabe, Kim, Diana, Norm, Erica and Heidi. More than anyone else, the three women in my life who make everything I do possible: Nilsen, Kelli and Lilly. And, of course, the inspiration to do more: Crystal.

Future editions of *Globus Mundi* will follow, yearly. Alumni, students and faculty will be asked to submit papers for consideration on topics from international relations, economics, history and theoretical issues as they pertain to global affairs, Inquiries regarding *Globus Mundi* should be directed to Professor Martin Morales, Chair of the Department of Political Science & Global Studies, at (916) 691-7114 or, via email, at [morale@crc.losrios.edu](mailto:morale@crc.losrios.edu)

We look forward to your continued readership.

# ALUMNI NEWS

YULEIMA LOZANO

Hi !

Welcome to *Globus Mundi* Volume V –the Alumni Issue.

This is my first attempt at “Alumni News” and I hope to do as good a job as my predecessor, Marius Iordache, did.

I’m so happy to be able to carry on this tradition of writing about where people are, what they’ve been up to and to serve as a focal point for those of us who’ve left CRC. Professor Morales has been very good at keeping me informed and sharing information. Of course, I’m happy to report on those alums I know but I’m equally excited to meet new people who’ve studied at CRC and taken many, if not all, the courses I took while I was there.

“Valete” lists the names of six new Bears. I just finished my first year at Cal and am looking forward to meeting CRC’s latest transfers: **Josh Slowiczek, Julian Ramos, Brienna Rainey, Hiba Baloch, Talia Davison** and **Tosh Fulton**. Congratulations on getting into Cal ! Know that you will start well prepared and that those of us who transferred in last year (Bruna, Brendan and I) are here for you. You will, unfortunately, not be able to have **Holly Sanderson**, Professor Morales’ former Teaching Assistant and founding Editor for *Globus Mundi* as your classmate: Holly graduated Cal this year with a BA in English with a minor in Creative Writing. **Audrey Foulk** and **Josh Shahryar** will be starting at UC Davis in the fall and become classmates to my friends there (**Nimra Syed, Genesis Tang, Diego Rodriguez** and **Roberto Rizo**); they’re all finished with their first year at UCD. **Enrique Leyva** will be attending UCLA but, unfortunately, miss having **Gabi Castillo** as a classmate: she just graduated and is

working at the Getty Foundation as a Researcher. This summer, Gabi is working at a human rights organization in Buenos Aires, Argentina; her work focuses on helping survivors and families affected by the Dirty War in that country. Four CRC students will follow Professor Morales’ footsteps and attend San Francisco State University’s IR program next year. Congratulations **Daniel Lumbang, Cynthia Mesa, Noelle and Danielle Walsh** !

I’m very happy to report that I was able to attend the department’s second Colloquium this year and watch Josh Slowiczek and Julian Ramos present their research projects: “*Dogs of War, Days of Democracy*” and “*Silent Murder: Urban Marginality and the Failure of Modernity,*” respectively. Both presentations were outstanding and the event was well attended. I’m pleased to note that alum **Rick Westberry** (CSUS Government major), attended. The event was attended by professors Rick Schubert, Gabriel Gorman and Beth Huffman; Vice-Chancellor Ryan Cox was also there. When I reflect back on my time at CRC and note how much energy and effort Professors Morales and Huffman put into giving us tremendous opportunities such as these, I can’t help but share in the joy they must feel at sending us out to the UC’s and CSU’s so well prepared.

I attended last year’s Colloquium as a student and am pleased to report that both speakers, **Ryan Neach** and **Marius Iordache**, have continued their education beyond their BA’s. Ryan graduated this May with an MA in International Relations from San Francisco State University and works in the Executive Office of the President, Washington, DC. In his last year at SFSU, Ryan served

as Managing Editor for the SFSU IR Department Journal and also as lead TA for an International Business course with over 1,000 students. Marius, after a year of training with the Department of the Treasury, will be transferring back to the State Department; he will be posted to Latin America. Marius will graduate with his MA in International Relations from SF State at the end of the year. Both Ryan and Marius were constant fixtures at CRC after they transferred. They set an example in mentoring, event staffing and peer counseling that I would like to see all of us emulate.

On that note: **Diego Rodriguez** and **Amir Terovic** donated their time to helping Model UN students practice committee roles, debate, rules and resolution processes a few nights before the conference. As a former Model UN student, I'm happy they were able to and ask that those students transferring – especially if they were in Model UN this year – to consider coming back next year to help with the 2016 team. Next year, **Olivia Askins**, in addition to continuing her service as Professor Morales' TA, will be Model UN President and Managing Editor of *Globus Mundi*. She'll be assisted by **Kaveh Toofan** who'll serve as Model UN Vice President. Kaveh was pulled into Security Council at this year's conference to report on Turkey's efforts to fight terrorism. By all accounts, Kaveh was brilliant.

**Myles White** (classmates with Ryan, Marius, Holly and Rick), graduated from UC Davis with a BA in Political Science. In his last year at UCD, Myles worked as Legislative Analyst for Governor Brown. Today, he works as a trade analyst for Bryant Christie, Inc., an international trade policy and regulatory affairs firm. In his position, Myles edits customized trade regulation databases and analyzes changes to international market access issues and how those changes could affect U.S. exports. Way to use what you learned in IPE, Myles!

**Frank Smiley** graduated from University of Montana at Bozeman with a BA in Political Institutions. His plans are to pursue a graduate degree in Security Studies next year. Professor Morales was surprised to see Frank at the 2014 Model UN conference in Burlingame. He was impressed with how Frank represented his assigned country in committee.

**Meagan Schreiner**, CSUS graduate, recently moved to San Francisco and is currently working in the SF 49ers front office as a Member Service Representative (Levi's Stadium).

**Ryan M. King**, Professor Morales' former TA (Cal, 2012), has been working as Senator Harry Reid's Press Secretary. He begins a new position as Georgetown University's Media Relations Manager in July (he'll be pursuing an advanced degree while he works there). Ryan took the position after he declined an offer from Senator and Presidential contender Bernie Sanders to be his Press Secretary.

**Kathleen Soriano** graduated UC Davis with a BA in International Relations. She's currently working at the California Asian Chamber of Commerce.

**Angelica Torres** graduated with a BA in Communication Studies from San Jose State University. Angie currently works at Kukui Corporation as Marketing Success Coordinator while volunteering at MACLA for Adobe Youth Voices Program. She currently serves as an Intern for State Senator Jim Beall. Angie was classmates with Myles, Ryan, Marius, Holly, Rick and Kathleen.

**Monique Matar**, has completed her first year at USC Law. She'll be working in the International Human Rights Clinic as a 2L. Her goals are to follow other Trojans working in clinic to The Hague (tribunal for Lebanon).

**Sara Govea** has been accepted to the American University, Washington, DC where she'll begin a Masters Degree program in Political Communication this fall. The "DC Chapter" - Ryan Neach, Marius Iordache, Ryan King and Taylor Martin - all welcome Sara to the nation's capital. Professor Morales will be celebrating Thanksgiving in DC with them.

**Chris Zraggen** graduated from UC Davis this year with degrees in Political Science and History. He interns for Assemblyman Brian Jones.

**Anna Ditto** graduated from UC Davis (Political Science) and is currently working at the Office of Statewide Health Planning and Development - Patient Data Section where she gathers data from hospitals across California for research purposes. She aspires to work at the WHO – after she gets her MA. Anna was most recently seen at the "Crossing Boundaries: Virunga" event.

**Samuel Casale** combined his love of politics and psychology. He left CRC for CSU Chico and graduated with a BA in Psychology this year. He's taking a year off to prepare himself for a Ph.D. program in Political Psychology.

**Amanda Domingues** has completed her first year of graduate study at UCLA (African Studies). She'll be travelling to Kenya this summer to do research.

**Michelle Nolan** graduated from UC Santa Cruz (BA in Politics). She volunteers at the Homeless Services Center while she manages a small dog walking company. Michelle's message to her successors at CRC is "Apply to UCSC- it's such a hidden gem!"

**Gerald Forest**, a summer school student of Professor Morales' four years ago, has completed his first year at Maurer School of Law at Indiana University. He will earn his JD in 2017.

My classmate here at Cal, **Brendan Glapion**, played basketball for CRC and was accepted at several other colleges on basketball scholarships. After many long conversations with Professor Morales, he accepted transfer to Cal with no collegiate basketball in his future. He had to try out for the Bears and ... he made the



team. Congratulations, Brendan !

As for me, I'll be working in Switzerland for the United Nations High Commissioner for Refugees this summer. Indications are that I'll be focused on Argentina.

Next year, like every year, marks transition for all of us. I know that our mentors have their hands full with teaching, advising, grading and recruiting. The thing I find the most interesting is how they still find time to plan and host events, maintain this journal and alumni chapter. I think we should do more and support them. A few people came to events this year and others donated money to help fund Model UN. Many of us reach out to Professors Morales and Huffman for advice, letters of recommendation or to just say "hi." Again, I'd like to see us do more as a chapter. Please feel free to send me ideas or suggestions through Professor Morales' email.

Professor Morales and Olivia have shared next year's event agenda with me. It's going to be a busy year for them: they're planning a series of events with topics ranging from immigrant theatre to political psychology, films, panels and, of course, colloquium.

I hope to see you at an event next year !

## VALETE

THIS SECTION OF ALUMNI NEWS IS DEDICATED TO IDENTIFYING THOSE WHO ARE TRANSFERRING

HIBA BALOCH	INTERNATIONAL RELATIONS: UC BERKELEY
TALIA DAVISON	INTERNATIONAL RELATIONS: UC BERKELEY
AUDREY FOULK	INTERNATIONAL RELATIONS – JOURNALISM MINOR: UC DAVIS
TOSH FULTON	INTERNATIONAL RELATIONS: UC BERKELEY
ENRIQUE LEYVA	LATIN AMERICAN STUDIES; IR: UCLA
DANIEL LUMBANG	INTERNATIONAL RELATIONS: SFSU
CYNTHIA MESA	INTERNATIONAL RELATIONS – ANTHROPOLOGY MINOR: SFSU
AHRYEL MITRA	GOVERNMENT: CSUS
BRIENNA RAINEY	INTERNATIONAL RELATIONS: UC BERKELEY
JULIAN RAMOS	POLITICAL SCIENCE: UC BERKELEY
SULEMAIN SHAHRYAR	INTERNATIONAL RELATIONS: UC DAVIS
JOSH SLOWICZEK	JOURNALISM – INTERNATIONAL RELATIONS MINOR: UC BERKELEY
AMIR TEROVIC	ENGINEERING – GOVERNMENT MINOR: CSUS
DANIELLE WALSH	INTERNATIONAL RELATIONS: SF STATE
NOELLE WALSH	INTERNATIONAL RELATIONS: SF STATE

# THE BOTTOM LINE: PRIVATIZED SECURITY AND OUTSOURCED WARFARE IN THE 21ST CENTURY

JOSHUA SLOWICZEK

*“[Man] loves his games? Let him play for stakes. This you see here, these ruins wondered at by tribes of savages, do you not think that this will be again? Aye. And again. With other people, with other sons.”*

— Cormac McCarthy: *The Blood Meridian*

The history of civilizations may be outlined with conflict. Sadly, from such a perspective, warfare becomes one of mankind’s oldest and most destructive traditions. This red thread has grown over the millennia; spreading, diverging, connecting tribes to empires, and empires to nation-states. As our sociopolitical structures evolve so too do our means, thus, the nature and scope of warfare has only become more complex, calculated, and objective. Issues of sovereignty and balance-of-power become simple factors in a long list of considerations that is then weighed against the bottom line. In the 21st Century, this methodology is no longer the sole domain of governments, which struggle to retain their legitimacy over the use of physical and military force. Rather, the traditional nation-states have been joined by a wide range of non-state actors, each with their own interests, agendas, and means in the international arena. In this post-Westphalian system, the privatization of physical and military force is a hegemonic phenomenon, epitomized by the Private Military Industry and drawing from ancient roots. This paper sets out to describe the history and nature of that industry, populated by Private Military and Security Companies (PMSCs), and, in doing so, shed light on a new and crucial facet of 21st Century international relations.

If warfare is one of humanity’s oldest traditions, then mercenaries must be considered one of our oldest professions. From Sumerian dynasties to the administration of President Barack Obama, countless political leaders have utilized soldiers-for-hire. Artifacts dating back to 2094 BCE, over four thousand years ago, contain some of the first references to mercenaries in descriptions of the army of King Shulgi of Ur. From the ancient and admired civilizations of Greece and Rome, to the feudalistic and expanding monarchies of Europe, military forces consisted largely of hired help. As these European states grew into the age of imperialism, sovereign soldiers replaced the skills of mercenaries, who found new homes in foreign lands, colonies, trading posts.<sup>1</sup> There they would remain in the face of two World Wars, little more than a footnote. However, in the years that followed, during the blighted era of Containment, the origins of the modern PMSC would take root.

The battle for hegemony between the US and Soviet Union would facilitate the return of mercenaries and set the stage for a new type of conflict. At the peak of the Vietnam War in 1969, a total of 9,000 private contractors, civilians with no connection to the military chain of command, were employed by the US government, providing infrastructure and logistical support to the Armed Forces

in the region.<sup>2</sup> Though the war was ultimately a failure, the historic potential of outsourcing military functions had not been lost on the US State Department, an idea that came to further fruition during the years of Reagan, Thatcher, and neoliberal deregulation. Under the guise of combatting “communism,” Latin America became a testing ground for the outsourcing of military and physical force in the pursuit of foreign policy objectives, ultimately flawed and deceptive goals that cost millions of innocent lives. As state functions became increasingly privatized, the world witnessed the fall of the Berlin Wall and the end of the Cold War. This resulted in massive military demobilization, as well as the proliferation of small arms and intrastate conflict on a global scale.<sup>3</sup> These cumulative factors largely contributed to a suitable environment and healthy recruitment pool for a now-awakened industry.

In the wake of the Cold War, PMSCs began to emerge in warzones, weakened states, and advanced democracies around the world. It was a transitory period during which the industry struggled to establish parameters, networks, and legitimacy. In Africa, companies like “Executive Outcomes” and “Sandline International” had made names for themselves as providers of trained South African veterans in regions of conflict such as Angola, Equatorial Guinea, and Sierra Leone. For their actions, they were internationally labelled as mercenary groups, and eventually closed down. By all rights, as foreign soldiers performing military functions for profit in a sovereign country, the label fit. However, the collective moral baggage and public response attached to the concept of mercenarism sent a clear message to other PMSCs in the industry, who, recognizing the value of corporate semantics, rebranded themselves as “security providers,” “private contractors,” and “consultants,” to name just a few in a wide range of overly-vague pseudonyms. Etymological hat-tricks aside, private security contractors lack the immediate and inherent political justification of sovereign military personnel, and may therefore be considered the modern-day equivalent of a mercenary.

With the stage set, the 90s proved to be another catalyst for the Private Military Industry. During the first Gulf War, Kellogg Brown and Root (KBR), a Halliburton subsidiary at the time, won a defense contract to build bases and provide logistical support for US and Saudi forces in the region. It was a lucrative contract, and the war as a whole saw a ratio of 1 private contractor per 50 soldiers.<sup>4</sup> Interestingly, the Secretary of Defense at the time, Dick Cheney, became the CEO of Halliburton after he left office in 1993. In the years that followed, the Clinton administration carried the torch of privatization into the Balkan conflict and Bosnian war. Familiar PMSCs, like KBR, were hired to rebuild bases and provide supplies in the region. DynCorp, another US-based PMSC, was contracted to provide policing and security services, while a third company,

MPRI, was hired to train the Croatian army. Billions of taxpayer dollars were offered up in contracts for a conflict that very few were aware of. The short term benefit of PMSCs was clear, governments could pursue interests abroad with limited accountability to the general electorate. This shift was further perpetuated by the “1997 Defense Reform Initiative,” an administrative process geared towards streamlining and consolidating elements of the Pentagon via privatization.<sup>5</sup> Thus, with the perfect mix of neoliberal deregulation and neoconservative policy, the Private Military Industry had found its stride.

Today, PMSCs have a global presence. Unfortunately, as a result of dismal auditing procedures, it is difficult to gauge just how many there truly are. Considering the 807 corporate signatories to the International Code of Conduct for Private Security Service Providers, it is likely there are well over a thousand PMSCs operating today.<sup>6</sup> These firms range in size and capability, from small and domestic “virtual” companies, to larger and publically-traded multinational corporations.<sup>7</sup> As a whole, the industry provides the full spectrum of military and security services: static and mobile protection, training, consultancy, logistics, system operations, intelligence services, construction, combat support, tactical abilities, and much, much more. Their clients include national governments, multinational corporations, non-governmental organizations, the United Nations and other international organizations, as well as domestic interest groups and privileged members of the general populace. There is, without a doubt, money to be made.

Further classification of PMSCs is necessary in order to understand the scope of the industry. Towards this purpose, the Singer Typography provides a solid foundation. Singer identifies three main service categories that many PMSCs may be roughly classified by: Military Provider Firms, Military Consulting Firms, and Military Support Firms.<sup>8</sup> Military Provider Firms, such as Blackwater, AEGIS, and Triple Canopy, generally offer tactical services under the auspices of static and mobile security. On the fringes of this group are smaller PMSCs, such as Executive Outcomes and Sandline International, which directly provide trained personnel for combat missions. Military Consulting firms, such as DynCorp, MPRI, and Vinnell, specialize in advisory and training capacities. These firms provide experienced personnel to train military and security forces, operate and maintain advanced weapons systems, manage logistics, and formulate tactical strategy. Finally, Military Support Firms, such as KBR, Halliburton, and Boeing Services, supplement secondary yet crucial military functions like supply, support services, infrastructure, and transportation.

While the Singer Typography provides a solid foundation from which to approach PMSCs, it must be viewed as a gradient scale in order to do so properly. The free-market nature of the industry often leads to service overlap, as well as corporate mergers and consolidation. Understandably, the more services a company can offer, the more viable it becomes in the market. As a result, while a larger company may be easily classified as a Military Provider Firm, it also likely provides consulting services. This was the case at the start of the Second Gulf War when AEGIS, a military provider firm, received a \$293 million 3-year contract to provide training to newly-arrived US troop deployments.<sup>9</sup> Thus, with the full spectrum of services, the ability to contract full-scale military operations simply becomes a matter of financing.

The Private Military Industry's estimated value surpassed \$100 billion in 2004, and recent figures have placed it as high as \$350 billion a year.<sup>10</sup> This tremendous growth has been influenced by market incentives, expanding client lists, and lucrative, though sometimes fraudulent, contracts. Unfortunately, due to the nature of the agreements, few of these documents are readily available to the public, but those that are depict significant capital. It is estimated that for any specific service or package, contracts can range from \$1 million to well over \$100 million.<sup>11</sup> Records released by the US State Department shed further light on the full range of services and appropriation: a \$50 million contract to Northrup Grumman for US peace training programs in Africa, a \$190 million contract to ArmorGroup for embassy security in Kabul, and a \$7 billion contract to KBR for the reconstruction of Iraqi oil infrastructure in 2003.<sup>12</sup> Furthermore, many of the larger companies, such as DynCorp, G4S, and KBR have an additional advantage: they are publicly traded on stock exchanges, allowing any investor to capitalize on their activities. Following the events of September 11, 2001, the stock value of many of these PMSCs doubled and tripled.<sup>13</sup> Thus, the stage for a lucrative industry venture: US operations in the Middle East.

The Second Gulf War, in many ways the first of its kind, cannot be fully illustrated without accounting for the Private Military Industry. Faithfully pursuing their policy of Preemption, President George W. Bush and the former CEO of Halliburton, Vice President Dick Cheney, set their sights on Iraq and the Middle East shortly after 9/11. By 2002, KBR was quietly contracted to begin building military bases in the region, and, by 2007, the firm had been awarded \$20.1 billion in logistics and base-support contracts.<sup>14</sup>

KBR was not alone in Iraq, it was joined by the full industry spectrum. Names like Blackwater, AEGIS, and DynCorp all have their place in occupation's history. The Department of Defense did not begin publicly releasing its data on contractors until late 2007, at which point there were 200,111 private contractors in Iraq and

Afghanistan, compared to 190,300 US troops.<sup>15</sup> This imbalance is no anomaly. From that point onwards, US foreign policy in the Middle East became more dependent on contractors than soldiers, statistically speaking. By September 2009, contractor levels reached a staggering 217,832 personnel, providing services such as base support, logistics, security, training, transportation, and administrative duties.<sup>16</sup>

For the 5-year period between 2007 and 2012, during which there were anywhere from 150,000 to 218,000 contractors in Iraq and Afghanistan, the US Government, and thus the American taxpayer, awarded \$160 billion dollars in contracts to PMSCs in the Middle East.<sup>17</sup> Once awarded the contract, a company was free to subcontract its provisions out, adding an additional layer of corporate secrecy to an already convoluted dynamic. Easily "conservative" Congressional estimates of contractual waste and fraud have been placed in the range of \$31 billion to \$60 billion.<sup>18</sup> Using the high estimate would suggest that nearly 40 percent of the contracts awarded between 2007 and 2012 were fraudulent and wasteful. For the sake of comparison, President Obama's 2013 proposed federal budget allocation for education was \$55.7 billion.<sup>19</sup> Unfortunately, this web of subcontracting, limited transparency, and exorbitant figures does not simply result in an auditor's nightmare and criminal levels of fraud; the actions of PMSCs go far beyond monetary amounts.

Throughout the occupation of Iraq, PMSCs were responsible for a plethora of human rights violations and, arguably, acts of terrorism. Many of the over 70,000 third country nationals, from countries such as Nepal, the Philippines, and Uganda, were deceived and extorted by local hiring agents who were sub-contracted by KBR, and then subjected to unsanitary living conditions, sexual abuse, exploitation, and extended confinement without work or pay.<sup>20</sup> Thus, to some degree, the plentiful base services provided to active US troops was supported by human trafficking. Additional consideration must be given to the Iraqi and Afghanistani civilians, many of whom bore the brunt of PMSC violence. Helmet-cam footage of contractors in Iraq and Afghanistan depict aggressive conduct in convoy and asset protection. Civilians are run over, cars are fired upon, and people going about their daily lives are threatened with loaded weapons.<sup>21</sup> While incidents like the Nisour Square Massacre, in which 20 civilians were murdered, were far from regular, the conduct of many armed contractors bordered on terrorism, acts defined by the rules of force established by the Pentagon.<sup>22</sup> A 2008 survey of US diplomatic personnel in Iraq revealed that 35 percent of officials reported having to mitigate Iraqi civilian responses to the actions of armed contractors.<sup>23</sup>

Elements of support, logistics, and security were not the only troublesome functions outsourced in the Middle East, so too were

the coercive and clandestine elements of the state. This reality was clearly illustrated in 2004 by the incidents at Abu Ghraib Prison, a detention center contracted out to the PMSCs CACI International and Titan Corporation. Contractors for both companies have been accused of abuse, torture, rape, and fraud. Regardless of the public outcry that followed the release of images depicting hooded and orange-clad prisoners being tortured and humiliated, the privatization of clandestine activities continued, as illustrated by the 2014 Senate Select Committee on Intelligence's Study of the CIA Detention and Interrogation program. In fact, following Abu Ghraib, the CIA ramped up its outsourcing. In 2006, a \$180 million contract was awarded to a newly-created PMSC that researched and articulated enhanced interrogation techniques. By 2007, 85 percent of the personnel active in CIA detention and interrogation centers were private contractors who made an average of \$1800 a day, tax-free.<sup>24</sup>

As of January 2015, an estimated 39,609 contractors were operating in Afghanistan, with an additional 5,000 quietly operating in Iraq.<sup>25</sup> They serve much the same purposes they always have, though currently on a smaller scale. However, in the light of new threats such as ISIL, the State Department has begun offering contracts once again. In October 2014, a 12-month contract was opened for a PMSC to provide security training and logistics to the Office of Security Assistance in Iraq.<sup>26</sup> In January 2015, DynCorp was awarded a \$100 million contract to train and support Afghanistan's police and military personnel.<sup>27</sup> This method of using PMSCs to train national forces had been tried at the start of the conflict by Vinnell and MPRI, and failed miserably under allegations of fraud and ineptitude. A year later the Pentagon took the task back over, only to outsource it once again in the middle of 2008.<sup>28</sup> In light of current events, it is worth evaluating whether the situation with ISIL in the Middle East would be any different had the Iraqi National Army received comprehensive training from the US Armed Forces, instead of private entities. With the cycle appearing to only repeat itself in the near future, it is clear that the story of Iraq, the contracted war, is far from over.

The reliance of the US government on PMSCs in Iraq and Afghanistan only represent a portion of the global Private Military Industry. In Israel, the UK-based G4S not only provides surveillance and intelligence packages to the government but also operates high security prisons and provides protection for Israeli settlements.<sup>29</sup> In Bahrain, BAE Systems, a Military Support Firm, recently provided 12 Typhoon fighter jets to the government, one with a weak record on human rights.<sup>30</sup> To the east in Taiwan, the PMSC Hi Tan Security faces allegations of using force and violence against locals who live in proximity to the Infravest Turbine venture.<sup>31</sup> Southwards, the government of Papua New Guinea has

contracted G4S to provide security at its immigration detention centers. Recently, the company faced allegations of using excessive violence to suppress a riot that left 1 detainee dead and 77 injured.<sup>32</sup> Private contractors protecting the PNG Porgera Gold Mine, owned and operated by the Canadian MNC Barrick Gold, face accusations of abuse and assault against the local population, as well as several incidents of gang rape.<sup>33</sup> In addition, the docks and shipping lanes from the Arabian Sea to the Pacific Ocean are home to a growing PMSC maritime industry. It is commonplace now, and often mandated by insurance companies, for container ships, shipping ports, and oil rigs to have their own private security. With the bulk of the world's goods travelling along shipping lanes the maritime security industry is booming, further facilitated by the presence of several floating armories in international waters.<sup>34</sup>

Africa has had its own tragic and ongoing history with PMSCs. During the Cold War, mercenaries often operated openly, a trend that was furthered by the Rhodesian Independence in 1980 and demobilization of the predominantly-white armed forces. Several of these men formed the notorious South African PMSC Executive Outcomes, which proved to be a prototype for Military Provider Firms such as Blackwater. In the mid-90s, Executive Outcomes was hired by the newly formed and coup-led government of Sierra Leone to eradicate the Revolutionary United Front from the country, and specifically the rebel-held diamond mines. By 1996, the contractors did so, successfully applying the same military tactics they had used in Angola just a few years before. In 2004, a group of London elites, including Mark Thatcher, the son of the former Prime Minister Margaret Thatcher, hired a group of contractors to overthrow Teodon Obiang, the president of Equatorial Guinea. The coup was unsuccessful, the contractors were imprisoned, and Mark Thatcher received a fine of \$450,000 alongside a suspended four-year sentence.<sup>35</sup>

The disposition towards PMSCs on the African continent has not changed in recent years. Reoccurring player G4S faces allegations of torture and abuse in the South African prison system.<sup>36</sup> The Israeli PMSC Nikuv International Projects faces allegations of rigging Zimbabwe's last elections in favor of sitting president, Robert Mugabe, in return for a wide-spectrum of lucrative state contracts.<sup>37</sup> In Somalia, Saracen International, currently run by the former head of Blackwater Erick Prince, now faces allegations of abuse and murder in their training facilities.<sup>38</sup> In the Democratic Republic of Congo, PMSCs working for extractive oil and gas MNCs, such as UK-Based SOCO International, have used coercive acts and bribery in their quest to exploit resources in Virgona National Park.<sup>39</sup> The proliferation of such extractive MNCs around the world is fueled by the Private Military Industry, facilitating operations in otherwise inaccessible and conflict-prone regions.

In Latin America, the situation is no different. The Brazilian PMSC Gaspem was contracted by local ranchers to kill and violently evict indigenous Guarani natives from their ancestral territory. According to reports, the firm was paid roughly \$12,700 for every successful removal. Honduras sees much of the same, with private contractors facing allegations of kidnapping, killing, and evicting farmers from their lands at the request of agricultural MNC Dinant, invested in by the World Bank.<sup>40</sup> In Colombia, the Spanish PMSC Prosegur was charged with trust-busting and coercion, while British and Israeli companies face allegations of training the Medellin Cartel in assassinations, torture, and combat.<sup>41</sup> However, all of the aforementioned contracts pale in comparison to the \$1.3 billion US aid package, inclusive of DynCorp services, given to Colombia for the war on drugs. DynCorp has been active in implementing US policy in the region since the mid-90s, providing pilots, trainers, consultants, and maintenance personnel to Colombian forces. In addition, reports suggest that the firm has also engaged in tactical missions and hot-extractions.<sup>42</sup> Arguably, the US government has outsourced a failed drug war that continues to displace, imprison, and kill thousands each year both at home and abroad.

While it may be easy to assume that PMSCs are confined to developing countries and regions prone to strife, the industry also has a presence here in the US. When Hurricane Katrina decimated New Orleans in 2005, approximately 150 heavily-armed Blackwater personnel descended upon the city, under contract to the Department of Homeland Security. Dressed in battle gear, toting automatic weapons and Kevlar vests, the contractors went to work “securing neighborhoods,” and “confronting criminals.” Thus, the Department of Homeland Security had, in many ways, outsourced the most basic elements of policing, a function of the state and federal government. Two weeks after the hurricane hit, the number of PMSCs in Louisiana rose from 185 to 235. They served a variety of clients, ranging from the federal government to private and wealthy individuals who sought asset protection in the disaster-struck city.<sup>43</sup> Unfortunately, this incident is indicative of a broader phenomenon in the United States. By 2007 there were an estimated 2,000,000 private security personnel operating within the US, topped only by China (5,000,000) and India (7,000,000). While the bulk of these personnel are generally unarmed and employed by smaller domestic security firms, many remain to be employed by provider firms offering hard security services. In the US, the ratio of private security personnel to police is 2.26 to 1. Meaning for every 100,000 citizens, there are 661 security guards who answer to a corporate and profit-based hierarchy.<sup>44</sup>

Nearly 8 years after Hurricane Katrina, a private contractor by the name of Edward Snowden would reveal just how deep the

outsourcing had gone. While working for Booz Allen Hamilton, a government-hired consulting firm, Snowden had top security clearance and access to tomes of classified information which he later released to the public via journalist Glen Greenwald of the UK-based Guardian newspaper.<sup>45</sup> Reports now reveal that over 1 million private contractors have similar security clearances and an estimated 70 percent of the intelligence budget is now appropriated to intelligence and tech-based PMSCs.<sup>46</sup> Thus, these companies not only operate in the spheres of both domestic and foreign policies, but in matters of the deep state as well.

There are a broad range of international implications that stem from the presence of the Private Military Industry. From a general perspective, it may be seen as simply another mutation of the Military Industrial Complex, but its far-reaching symptoms seem to suggest a different kind of virus. As nation-states and the various non-state actors have growing access to prime military capabilities, the industry’s presence becomes commonplace and systemic, a reality only further propagated by the UN’s own use of PMSCs. With this growth comes the proliferation of the conditions and methods for violence, offered casually under the guise of providing security. Thus, supporting the international criminal apparatus via small arms deals, human trafficking, and conflict resources would seem ironic should such companies be taken at face value. While this lack of accountability facilitates a wide range of warfare without full adherence to national or international laws, it is also indicative of a cost-benefit approach towards matters of security and conflict. In tandem, market competition and drivers emphasize the bottom line and the primacy of capital. This dynamic is furthered by the self-serving nature of the industry: one service easily leads to another.

The second largest consumer group for these services are MNCs, many of which have become emboldened by the autonomous nature of PMSCs. There is now a proliferation of extractive MNCs into otherwise unstable regions rich in natural resources, coined “the last frontier.”<sup>47</sup> Such actions share an interesting similarity with those of the East India trading companies, which were protected by private armies. Only this time, instead of rubber and gold it is oil, gas, and tech-related metals that fuel advanced democracies around the world. Neocolonialism is alive and well. Now, much like then, all actors are free to invest in such corporate tactics with little regard for local populations, environmental degradation, or the lasting impacts of climate change.

As illustrated, PMSCs have been used to support the foreign and domestic policies of various nation-states. Thus, on the state level, the Private Military Industry is deceptively beneficial. In many cases, contractors are used to supplement defensive or static state forces in otherwise quiet corners of the world, functioning

beyond public perception. In addition, the perceived benefit of cost-efficiency is cumulative, leading to the increased outsourcing of crucial state functions such as policing, detention security, and domestic surveillance. With purposefully limited transparency there is a lack of accountability. In domestic policy, this results in a re-prioritization of private over public interests. In foreign policy, as seen in Iraq, the use of contractors can be detrimental to ethical standing and public perception, running contrary to the process of winning hearts and minds. Thus, the concept of security, to some extent deemed a public good, becomes commoditized under the domain of capitalism. The sharp reality is that the use of PMSCs undermines state power and creates a reliance on the private sector. In certain extreme cases, this reliance can result in complete dependency. In most instances, however, the erosion is gradual, facilitated by a revolving door between industry and government officials, campaign donations, and the never-ending allure of profit, epitomized by the \$60 billion worth of waste and fraud that occurred over 5 years in the Middle East. As sickening as it is, that sum of money lost, stolen, and squandered pales in comparison to the cost that the industry has had on civilian populations around the world.

The impact that the Private Military Industry has on human rights and personal welfare is reminiscent of a bygone imperial era. This paper has attempted to portray the full spectrum of violations: murder, terrorism, abuse, assault, eviction, imprisonment, displacement, human trafficking, slavery, torture, the invasion of privacy, and the perpetuation of income inequality on a state-by-state basis. No single report can encompass the tome of ruthless actions taken by PMSCs. This is not to say that every company and every contractor actively seeks violence, the reality is far from that, but the acquaintances one keeps is telling of the context. Interviews with contractors and industry experts suggest that many of these men find themselves returning service veterans with few avenues to support themselves or their families. This is not said to excuse or justify actions taken, but to illuminate a quiet issue that supports the larger problem: the lack of support veterans receive contributes to the industry's employment pool. These individuals cannot be held solely responsible. One step removed, and just next door, the electorate, consumers, investors, and taxpayers encompass a communal complicity in this cold calculus. Governments act on behalf of their people, corporations expand to the needs of the consumer, and force will always seek to justify itself with profit.

The red thread of conflict that links us to the past will continue on much the same way it always has. In the 21st Century, this progression is partially facilitated by the Private Military Industry, an age-old profession rebirthed by globalization and adapted to our post-Westphalian system. Experts agree that PMSCs will

never be completely eliminated as they have become an integral part of policy objectives. Thus, mitigation and regulation is crucial. Currently, initiatives such as the Montreux Document, the International Code of Conduct for Private Security Service Providers, and the PSC Standard Series seek to do just that. However, academics and security scholars suggest that the various initiatives fail to create a unitary, international oversight mechanism establishing instead only a "patchwork" system of regulation.<sup>48</sup> Progress is being made, but there is still much more to be had. As knowledgeable and informed citizenry, it is the electorate's responsibility to begin asking what the privatization of warfare, our oldest tradition, will truly cost.

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# THE ETHICALITY OF INTERVENTION: SYSTEMATIC RAPE AS A WEAPON OF WAR

YULEIMA LOZANO

## INTRODUCTION

Rape has long been a method of torture, domination and instilling fear. As it becomes a systematic weapon of war, the international community has begun to comprehend the severity of sexual violence on a grand scale. Through my research I will answer the question: who is obligated to mitigate this issue and how should this problem be addressed within the theoretical perspectives? Using rape as a weapon of war is a detrimental tactic not only because it exploits vulnerable citizens within a community, but it also degrades the legitimacy of a regime. While there is an inevitability of exploitation when it comes to war, it can be argued that preventing the use of rape and sexual violence at a systemic level is probable. In order to address and potentially prevent the problem of systematic sexual exploitation through intervention or other means, nations should have a global outlook on women's rights to employ concise strategies in understanding the ethical dilemma that is presented. The problem and the prevention of systematic sexual violence can be viewed through two differing strategies: realism, the concept of national self-interest, and utilitarianism, the theory of the achievement of the greatest good.

This research will argue how sexual exploitation can be prevented, and mitigated on an international level. First, I will

explain the ethical dilemma in attacking women and look at the parallel between the intensity of war and using rape as a tool of terror, in order to understand how it develops into a systematic issue. By using specific cases such as Zimbabwe, Rwanda, Bosnia and Herzegovina, I will explain how sexual violence is used to achieve different goals during war. Through these cases, I will look at the ethicality of having outsider nations intervene when a nation itself cannot alleviate systematic rape, and cases in which nations could have intervened. The second part of this research will use theories, realism and utilitarianism, that will explain the ethical implications of mitigating or preventing sexual violence. Using these theories, I will argue under which theoretical assumptions is a nation obligated to help another nation with conflicts such as systematic sexual violence

## THE BACKGROUND AND IMPLICATIONS OF ATTACKING WOMEN

The subjugation of women on a sexual level has long been an issue that has plagued the world, but when does this become an international conflict? The United Nation's Security Council

addressed the issue of rape during war and as a weapon of war by stating, “women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instill fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group”<sup>1</sup> While there are many cases in which rape and sexual violence occur in war zones, we will look primarily at those nations that have been deemed problematic on an international level. Sexual violence can be defined as psychological warfare that can carry on the individual level for a lifetime. In some cases rape cannot only be a direct attack on the woman, but on her family as well. Raping a woman in a religious, traditional community can ostracize her from her family, becoming seen as impure and can damage communal ties.<sup>2</sup> Margot Wallstrom, vice president of the European commission stated, “The problem is implementation and enforcement, so very little has happened. I would say almost nothing. Still, we send delegations, mediators or negotiators that are only men. Very few women have found their way into that whole system” (Keleman).<sup>3</sup> As mothers, caregivers and the traditionally nurturing element of communities, women compose a strategic role during wartimes. As a violation of individual human rights, rape has become an international conflict that leads the question whether outside players should intervene or help mitigate a systemic problem such as this. Rape is dehumanizing women to nothing more than a mere object of sexual exploitation, and allowing this to become a systemic problem it has normalized the behavior of attacking women during periods of conflict. (Santiago).<sup>4</sup>

## CASES AND THE ETHICALITY OF INTERFERENCE

Specific cases can help explain how sexual violence can vary across the spectrum and can help give context as to how outside involvement may or may not benefit the situation. Most of the conflicts that turn into an exploitative measure such as systematic sexual violence typically derive from politically fueled national conflicts. In the case of Guinea in 2009 hundreds of women were attacked and raped in daylight by soldiers fighting against pro-democracy protesters.(Moore)<sup>5</sup> At a stadium in the capital of Guinea, Conakry, thousands were killed and raped by organized militia seeking to control the opposition groups to the CDD government which took control after the President died. (“ Rape : Weapon of War” )<sup>6</sup> This strategy was used to terrorize and threaten the pro-democracy protesters. By displaying a brazen attack on women they were sending a message that instilled fear but at the same time would cause the pro-democracy fighters to feel uneasy

about addressing their issues with the government in fear of potential attacks on women. A similar case of systematic rape as a weapon of terror occurred in Zimbabwe. In the 2008 presidential elections, more than two thousand women and young girls were raped because of their association with the opposite party of the attackers. (Russell-Brown 345)<sup>7</sup> Politically induced sexual violence has become a more prominent issue throughout the century. In the former Yugoslavia, ethnic cleansing through sexual violence and degradation was inflicted on more than 60,000 women. (Moore 116)<sup>8</sup>. The rape camps that were enforced by the Serbian soldiers were created for the purpose of raping muslim women as a form of ethnic cleansing. The International Tribunal for the former Yugoslavia claimed rape as a crime against humanity for the first time, but even by doing so the number of rapes in warzones has not decreased. (Moore 116).<sup>9</sup> The unethical standards and conditions that these women were subject to exemplifies just how these atrocities can become increasingly severe if they are not mitigated.

As a crime against humanity, it is clearly more than a national issue, it extends to the international community. The UN Security Council adopted resolution 1820, which outlines and recognizes rape and sexual violence as a tactic of war (S/RES/1820)<sup>10</sup>. UN Resolution 1820 also reaffirms the Rome Statute of the International Criminal Court, which gives a more detailed report of the variety of sexual degradation that individuals may endure as a result of war tactics. While the ethicality of intervention or interference may seem to be conflicting when it is in the context of state sovereignty, there needs to be an understanding of the deeper conflict that arises in attacking a fundamental and symbolic part of each community: women. UNICEF describes women as an incremental part of all societies and they outline that they are part of the fabric that composes a traditional family. (“Sexual Violence”)<sup>11</sup> While women are underrepresented on a topical basis internationally, their position on the most fundamental level is evident through familial and communal ties. (UNICEF) As was the case in Somalian refugee camps in Kenya in 1993, it was found that women would be raped in night raids as they were deliberately placed in isolated wooded areas. The ethical action was to take in the refugees, but it was unethical in the eyes of the international community that such atrocities were committed within the confines of the camps. Vulnerable to a potential attack, in some cases the Office of the UN High Commissioner for Refugees found that refugee women were often subjected to exchanging sex for protection. (“Sexual Violence”)<sup>12</sup>. In the Rwandan genocide it was found that the Hutus raped over a half of a million women Tutsi women with a goal of punishing them. As a form of ethnic cleansing, some of the women were murdered and others were intentionally infected with HIV/ AIDS (Moore 116)<sup>13</sup>. To suggest that rape only in specific cases is

an issue for the relative country is baseless. Rape as a weapon of terror and a systematic tool in warzones only continues to grow as an issue of international proportions based on the amount of cases reported

### ADDRESSING SYSTEMATIC SEXUAL VIOLENCE THROUGH THEORETICAL PERSPECTIVES

Regarding the issue of systematic rape, both realism and utilitarianism have contrasting approaches regarding the ethicality of mitigating and preventing systematic rape as a weapon of war. To a realist nation, rape as a weapon of war would be argued to be an issue of the nation in which the problem is occurring. Using the example of the cleansing in Bosnia and Herzegovina in the former Yugoslavia, realists would attest that the internal conflicts only belong to that particular nation. However, when discussing the former Yugoslavia and the Bosnian Muslims conflict with the Serbs, it is important to outline that the Yugoslavia was a major territory that broke apart. While the realist approach would see that it would not be in the interest of the nation to be involved in external affairs, it is important for outsider nations to understand the repercussions of not helping in the effort to contain atrocities. (Stiglmeier)<sup>14</sup> As for Yugoslavia itself, as a realist nation it would need to provide some form of limitation by controlling the masses in order to maintain the kingdom.

As a mechanism of terror, a realist would suggest that it is within their national interest and ethical obligation to their nation to eliminate the enemy. Understanding that such a sadistic atrocity consequently became a systematic issue in Bosnia as a deliberate tool to instill fear in the Muslim women, Realists are not looking at the moral implications of their actions. (“Bosnia and Herzegovina...”)<sup>15</sup> The ethicality of getting involved in mitigating or preventing systematic rape is not looked at within the context of it being a crime against humanity. Thus, women would have to suffer as a consequence of one nation’s inability to apprehend the issue. While agreements within nations are argued to only be useful when they represent some interest, realists argue that the conditions of the international realm are plagued with contradictions between power and ethics. Therefore, involvement should be strategic to benefit the national-interest.

While realists would take a minimalist approach to prevent an issue that is considered a crime against humanity, Utilitarians would take a broader and more comprehensive approach in combating an issue of that nature. Utilitarian John Stuart Mill argues that the highest virtue is letting go of one’s happiness in

order to help others achieve their own. Accordingly, the ethical obligation in the case of the mass rapes in Guinea would be to act and help raise the level of happiness for all (Mill 17)<sup>16</sup>. This principle is not limited to the borders of the nations; it is a borderless assumption. Hence the brutality in which women are treated is not to be looked over. Mill emphasizes, “Whatever can be proved to be good, must be so by being shown to be a means to something admitted to be good without proof,”(Mill 6).<sup>17</sup> This concept can be applied to the cases that involve political objectives, such as the one in Zimbabwe where women were attacked as a tactic to instill fear in the pro-democracy individuals. While it can be argued that the intervening nation is seeking to help the pro-democracy party, their actions under the principles of utilitarianism must be to seek ethical justice for the sake of being good, not for any other gains. In the case of Darfur where the NGO Human Rights Watch reported that the Sudanese government, rebels and the government-backed Janjaweed militia were a constant threat to the women in Darfur. (“ Rape: Weapon of War”)<sup>18</sup> The ethical doctrine of utilitarianism is that the moral worth of a state is based on their contribution to the overall utility in the world. The greatest good for the greatest number is a key principle to utilitarians that assumes that individuals are obligated to seek out the highest level of happiness for not only themselves but for all.

### MITIGATION USING THEORETICAL APPROACHES

The ethicality of intervention and interference in the case of systematic rape and sexual violence as prescribed by the theories is based on the rate at which the attack is occurring and the strategies they may employ. Regardless of sexual violence being condemned as a crime against humanity, realists would understand the reasoning behind the actions of the oppressors as they do not see intervention as a moral imperative, but as a necessary decision to sustain power. For example, in the case of the Rwandan Genocide, “The Rwandan Tribunal acknowledged genocidal rape as possibly the most effective and serious way of inflicting injury and harm on individual Tutsi women, thus advancing the destruction of the entire Tutsi group.” (Russell-Brown 350)<sup>19</sup> Realists would argue that while this does not build a morally sound community within their borders, it is an effective way of eliminating the opposition at a systemic level. As long as the nation itself has the upper hand, the eradication of the Tutsi women would be argued as a necessary means that will justify the ends. However, Morgenthau and other realists suggest that there is a way to develop rationality within

politics and it is necessary to comprehend that the international community is there and nations must follow the rules of human nature to survive within it. (Tickner 431)<sup>20</sup>

The ethical action toward interference for realist would allow the nation to deal with its own conflicts and make sure that the issue itself does not bleed into one's borders. The severity of sexual violence is not limited to just one act of terror, it can extend to be a demonstration of domination. For example, in the Rwandan Genocide, "In general, the rapes that were committed as part of the Rwandan genocide were committed 'by many men in succession,' were frequently accompanied by other forms of physical torture and often staged as public performances to multiply the terror and degradation." (Russell-Brown 353).<sup>21</sup> Utilitarians in this case would see the degradation that was inflicted as a primary objective to stop the conflict from that point. To give a clear view of the moral standard set up by the theory, much more requires to be said; in particular, the ideas of pain and pleasure." (Mill 25)<sup>22</sup>. The greatest happiness principle can be put in the context of Uganda where women forced to provide sex as a way to stay alive. Consequently, it was reported that due to these exchanges the rate of AIDS increased (Moore)<sup>23</sup> Utilitarians are obligated to seek out the happiness even to outside nations.

## CONCLUSION

The ethicality of mitigating or preventing a problem such as systematic rape must be looked at through the lens of the perceptual consequences of not addressing the conflict. As outlined through the realist perspective, it is clear that the moral and ethical route for them would be to make sure the issue is not internal and prevent their nation from being vulnerable to such a conflict. Understanding that intervention and mitigation can help prevent an international crisis, realists may be weary of dealing with a direct attack on a specific population because it can easily become an issue if opposition groups enter or rise within the nation. Utilitarians would argue that systematic rape as a weapon of war or terror should be controlled as soon as it is present. Due to the fact that Utilitarians seek to boost their utility it is evident that ignoring the issue will be negligent to the principle of greatest happiness for all. As most of these cases outline, the severity of systematic sexual violence and rape has unbearable consequences for those involved, in addition to the international community. However, the question still stands whether anyone in the international community bears responsibility and obligation toward preventing an issue such as this.

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# BECOMING AN INTERNATIONAL PASTIME: THE DIFFICULTIES OF MIGRATION FOR INTERNATIONAL BASEBALL PLAYERS INTO AMERICAN CULTURE

RYAN NEACH

## INTRODUCTION

Baseball has become a globalized sport in a matter of a few decades. It has become not only an American pastime, but has become pastime for many countries as well. A large majority of the people who play baseball, dream of being paid exorbitant amounts of money to play the sport that they love. The chance to achieve that goal is much harder than it may seem. There are multiple challenges involved for any person who sets off for a new life. However, it is hard to imagine the changes that many immigrants go into and then imagine all of this being played out in the public scrutiny.

The question this paper aims to answer is does culture define the way international baseball players handle their new found fame and wealth? What factors contribute to migrant baseball players transition to successful professional and personal lives in their host countries? The question is relevant to understand instance of global talent flows and to understand migrants who may not have the social skills necessary to integrate into a new type of lifestyle. Many high skilled workers have an introduction to the western style of life, such as background through education, or some other type of program that may not be available for immigrant athletes. This paper looks to identify some of the key problems with the transition for migrant professional athletes.

The primary argument of this paper is that professional athletics organizations are treating migrant players as one indistinguishable bloc of people. They are not identifying the key aspects of each culture that their players are coming from in order to make the transition into American culture an easier transition. If professional teams are willing to invest millions of dollars into each individual, then they need to make sure their player is given the correct tools in order to protect that investment.

There are two primary factors to take into account when discussing this migration issue. The first factor is the player's home country cultural views of money and wealth. This factor each individual player's perspective of money and fame. The second factor is the role that professional translators play in Major League Baseball and how they are either used or misused in helping translate for athletes. These two factors should help give a clear picture of the problems that migrant professional athletes face when transitioning.

In order to understand the differences with transitioning players from different cultures, there must be a comparison of the two cultures and the many challenges that the players from each country face. The first culture that will be studied will be Latino immigrant baseball players. There will be a study of the challenges that many Latino baseball players see and some of the factors that contribute of their cultural upbringing that cause these issues.

Then there will be a study of Japanese players and there will be an examination of the issues they face when transitioning to the United States and Major League Baseball.

The paper be broken down into separate parts in order to study the broader topics of this issue as well as specific case studies. First, there will be a literature review of sports migration in baseball and other sports around the world. Then, there will be a general overview of some of the statistics of migrant baseball players and Major League Baseball's policies of helping their migrant players. Next, there will be the two case studies of Latino and Japanese players, and the separate experiences transitioning to the United States and different challenges each culture faces. The final part of the paper will be analysis of both case studies and a comparison of their similarities and their differences.

## LITERATURE REVIEW

The literature that revolves around this study will deal with sports migration in both baseball and around the world. Migration for athletes in sports is not a new phenomenon. It is relatively new to the United States and for baseball, but European soccer players have been migrating between states for decades. The research involved with this is mostly based on the study of European trends, but they relate closely to the patterns in baseball as well. The other part of this theme will be exploring the limited amount of academic writing in regards to baseball migration.

Author Seungbum Lee discusses how a globalized world has created a major change in the sports migration market. Athletes from all over the world now migrate to different regions due to globalization and this has dramatically effected the way sports as a business has been changed as well. "Influenced by globalization, the structure of the labour force has been affected as well; for instance, global labour migration has become routine throughout the world. Global labour migration has also significantly affected the sporting world. As the sports industry has become commercialized and thus, globalized, more and more athletes and coaches freely transcend national borders. Sports labour migration is becoming a ubiquitous and vivid signal of globalization in sport."<sup>1</sup> Lee does point out that sports labour migration as an academic subject is flawed and not a part of a large conversation. "This discourse does not ignore previous studies about sport labour, migration, yet the underlying thesis of this discourse is that sport labour migration studies need to be conceptually re-visited. Currently, sport labour migration is operated as a form of business with the advent of globalization."<sup>2</sup>

Going off of this research, author Thomas F. Carter draws

parallels in international sport migration to the idea of contemporary migration. He believes that contemporary migration can be summed into three different principles; "the importance of migrant agency, the self-sustaining nature of migratory processes, and the trend towards structural dependence of states' emigration and immigration policies on the continuation of migratory processes once established."<sup>3</sup> The issue that Carter sees is that a greater emphasis has been placed on the last principle, which severely limits to study of sport migration. His paper, "Re-placing sport migrants: Moving beyond the Institutional Structures Informing International Sport Migration", tries to shift focus from the last principle of global institutional structures and instead have the subject be debated through the experiences of each individual player. He hopes that this will refocus the debate regarding this topic on the individual implications that come with sport migration debate.

Carter in his book *In Foreign Fields*, discusses the idea of individual agency and families.

He discusses how being a mobile worker can significantly affect the decision to either pursue a professional career or try to make it in the home country. It is difficult for families to release their children into the unknown. "The transnational sport migrant has a job waiting for them, but those who accompany the migrant do not, and as a result Carter raises a significant point by recognizing that families are not uniform, in most cases are shaped by gender relations and that the spouse/partner and the athlete/husband do not experience mobility in the same ways."<sup>4</sup>

Most of the field of sport migration is studied through the perspective of European soccer leagues and from a post-colonial perspective. Much like the idea of "brain drain", there are many people who believe that by taking the most talented athletes from a given country, you essentially smother any chances of that country forming a league to challenge the country with the comparative advantage. Authors Paul Darby, Gerard Akindes and Matthew Kirwin discuss the talent drain idea in "Football Academies and the Migration of African Football Labor to Europe". They point to the "football academies" that exist for many of the European football teams in which they recruit players from all over the world to be schooled in the best academic as well as professional training available in the world. They discuss this idea specifically in regards to African players and the way European teams largely take very young African players and bring them to their academies. These African players, who basically have very little opportunities at home, get the opportunity at a better life. Yet, such policies put many African countries and football clubs at a disadvantage. Many critique this practice as a new form of colonialism. Darby and Co. point to a comment made by

Sepp Blatter, president of Federation Internationale de Football Association, or FIFA, who said that European clubs had benefited most from African players. He described Europeans as “neo-colonialists who don’t give a damn about heritage and culture, but engage in social and economic rape by robbing the developing world of its best players.”<sup>5</sup>

While the method of taking African players away from their homes has been critiqued by many, there are some who see a silver lining in the increasingly globalized sport migratory system. Raffaele Poli talks about three separate aspects when considering African Football Player migration: Historic, Geographical and Cultural Aspects. The most significant data that Poli found was the increase in the range over the past few years in players who come from across the globe. From 1995-1996, about 30% of foreign born players in European leagues were from Africa. A decade later from 2004-2005, that number dropped to 17%. The sharp decline was a twofold process; first, the more players were being brought in from other European countries and second, the number of players from Latin America also had raised since that point. This is a good indication that globalization is seeping into the sport migration pattern. It is now taking players from a larger selection of a global population and changing the way these European teams are conducting their recruitment process.<sup>6</sup>

However, the processes between baseball and soccer migration are significantly different. Thomas Carter’s article “Family Networks, State Interventions and the Experience of Cuban Transnational Sport Migration”, he discusses the differences between athletes who migrate from different countries in different sports. “Migration patterns vary with each sport and depend on a sport’s historical circumstances in the country of origin and the destination country as well as the contemporary political economic relationship between those two countries. For example, the global migration pattern of baseball migrants differs from soccer migrants. Similarly, regional migration patterns, such as those along the East Asian Pacific Rim, will differ for each sport. Furthermore, those East Asian patterns will be different than those in the Caribbean Basin because of the specific historical and contemporary relationships between countries in each region.”<sup>7</sup> The differences between baseball and soccer migration patterns must be accounted for when discussing the broad spectrum of sport migration.

Yoshio Takahashi and John Horne discuss the shortcomings of sports migration data, especially when it comes to data on baseball migration. They say that academic interest in baseball is short on substance because much of the focus is centered around either European soccer or Australian rugby. They say much of the research has been conducted in mass media and not in an exact

academic field. There is even less research for Pacific-rim countries. “Specific interest in Japanese player migration into Major League Baseball has largely been the preserve of journalists.”<sup>8</sup> The general subject of sport migration with regards to baseball is lacking in academic input as whole.

In his dissertation, Charles Campisi, points out the lack of research as a product of the access that academics have to this type of migration. It is not easy to spot someone who is talented enough at a young age to make it to Major League Baseball, nor is it a guarantee that they will be successful once they get there. “The majority of athlete migration research has been conducted post-hoc and not pre-migration the post-migration experiences to potentially influence pre-migration expectations and rationale. While studying the difficulties encountered by migrant athletes after their migration is necessary to acquire a representative picture of their experiences, studying the anticipated challenges is necessary as well. Acknowledging the expectations of the players and administrators allows those developing and creating cultural awareness programs for the players to alleviate some perceptions or concerns, inform players of unsuspected challenges, and educate the players on the handling of both expected and unexpected difficulties.”<sup>9</sup> Since a large majority of this research is based on mass media followings, most of the research is conducted with players who are successful in pursuing their dream of becoming a Major League Baseball player. The problem is that the unsuccessful stories are the ones that fall through the cracks. Since mass media outlets don’t truly care about the unsuccessful stories, then discussion about the flaws in this migration pattern are never solved.

The literature revolving around sport migration and high skilled workers provide an interesting context to understanding the differences in how athletes from different cultures face the challenges involved with integrating to the United States culture and the role that instant fame and wealth play in this transition. After reviewing many articles involved with this subject, the most glaring missing piece of research is an actual comparison between the different cultures that are now migrating into Major League Baseball. The case studies below seek to underscore how the home culture and the help of the league they come into play a role in determining integration outcomes among sports migrants.

## CASE STUDY 1: LATINO MIGRANT ISSUES

Latino players make up almost 24.2 percent of all major league baseball players. This number has been slowly increasing over the



past two decades and continues to rise. The increase in Latino players coming into Major League Baseball has caused some major changes in the way baseball interacts with the international community. Major League Baseball has tried to adapt to the increasing numbers of international players involved in the league. This has not been without its faults.<sup>10</sup>

The two major factors of the cultural ideas of fame and wealth, and the second factor of language barriers both play a key role in the problems that Latino baseball players face when coming into the major leagues. The first factor of the idea of instant wealth can be daunting for players who come from impoverished areas of the world. Many of these players come into American culture and are automatically thrown into the top 1% of wealth in the country and in the world. There will be a discussion of the profound effect that can have on the migration process.

The second factor will be a discussion on the language barrier that all international players face. Latino players have more of a cultural bond because of the amount of players that have come into the league, however the communication problems that come up are largely due to Major League Baseball not providing the same level of communication that they do with players from other regions. This lack of communication can derail a player's success and can also contribute much of the frustration that many Latino players face, both on and off the field

### *FACTOR 1: PITFALLS OF INSTANT WEALTH*

It is fair to say that Latinos are rising in numbers in general in the United States. It is fitting that the rise in Latinos in the U.S. is a reflection of the rise of Latinos in the baseball. The migration of Latinos into baseball has caused baseball to become part of the larger migration system. The change that Latino immigrants go through when coming to the United States, is multifold. They are adapting to a new culture, a new way of life, a new language and a new people. For baseball players, it is only add on by the pressure of a new found fortune and fame. While the large amounts of money can make a world of difference for many of these players, it is an adjustment in itself.

The amount of poverty that many of these players come from is a shell shocking experience when they realize the amount of money they have earned. One of the best examples of this is former Major Leaguer and one of the most recognizable Latino players, Manny Ramirez. Ramirez was from the Dominican Republic and grew up in poverty for most of his young life. He was breastf =ed until he was six due to the fact that his family could not afford to give him solid food. His family eventually immigrated to the

Bronx, New York and he eventually was drafted right out of high school into the Major Leagues. After signing a \$160 million dollar contract, Ramirez "asked his agent -- even after signing a \$160 million contract -- whether he could afford a house in Pembroke Pines, Fla., for his parents. His agent turned to him and said, 'Manny, you can afford this whole damn neighborhood.'" <sup>11</sup> This story is a fantastic example of the instant change that many of these players go through. The amount of money that these men make after coming from almost nothing is a true culture shock.<sup>12</sup>

A player named Ariel Prieto signed a contract with a \$1.2 million dollar signing bonus. The check he received sat in the pocket of his jeans for almost a week because he did not understand the concept of banks and United States currency. And former Cuban baseball player Rene Arocha went to a grocery store for the first time he almost fainted. He couldn't believe all the choices and just the amount of food that American citizens got to choose from. These are everyday commonplace activities in the life of an American. However, for an immigrant who comes from almost nothing, it is a major shift.<sup>13</sup>

The idea of choice is also an interesting topic when discussing this huge shift. A problem that many people in capitalist societies do not want to freely admit is that those who have money have much more choice. This isn't talking about choice or freedom in the sense of constitutionally given freedoms, but when you have an abundance of money in a free market you have the ability to afford things that the average person cannot afford. The amount of choice of anyone coming into instant wealth can be overwhelming and it can lead to some poor decisions.

This is especially true for a twenty year old immigrant baseball player from a poor country who has just walked into a gigantic contract. The limits of freedom are enhanced when one come from a poor background, but the amount of choices and the amount of things that open up after getting that money is life changing. A great example of this is one of the bright young talents in the game named Yasiel Puig. Puig is a 23 year old Cuban immigrant who plays centerfield for the Los Angeles Dodgers. Puig is one of the most athletic and purely gifted baseball players to come into Major League Baseball in a long time. However, he has had his few shares of run-ins with both management of the Dodgers and the law. He has been pulled over multiple times for speeding in his very nice Royal-Royce car. He has also been branded as lazy and ill-tempered by coaches.<sup>14</sup>

Puig has been criticized by the media as well. He is often branded as having gigantic talent with a gigantic ego. However, some have pointed out the inherent racism that comes with this kind of talk about Puig. Dan Le Batard of ESPN wrote, "Even gentleman poet Vin Scully (play-by-play announcer for the

Dodgers), voice of baseball, calls Puig ‘a wild horse,’ an animal that must be tamed or broken, and the media clucks in agreement, calling a very proud human being an animal. Funny, Puig is supposed to be the one with the language problem.”<sup>15</sup> It is an odd relationship that baseball players have with the media. With a personality like Puig’s as well, it can show some of the major image problems some Latino baseball players can have as well.<sup>16</sup>

The labeling of Puig as being lazy or entitled is a reflection of American ideals of working hard. When baseball players sign huge contracts, they are expected to perform and this good performance will lead to what many hope is championships and lots of winning. This is part of the American ideal of winning at all costs and when someone is paid handsomely, you are expected to live up to those standards. However, for many of these Latino players who sign these contracts, they have already reached their pinnacle. For many, all that they sought was a better life for themselves and their families, and they have already reached that goal when they signed their mega-contracts. The life changing goal has already be accomplished and the goals of winning are not always the first priority for many players. This can cause a backlash by the sports press who make a living at analyzing and criticizing players, in which it can then have a negative effect on how fans feel about a particular player.<sup>17</sup>

### *FACTOR 2: COMMUNICATING IN THE MAJOR LEAGUES*

As in any team sport, communication is key to success. This is what makes it vital for international players to have some baseline of communication in order to succeed at the Major League level. The major problem has been that since baseball has seen an increase in Latino players, the level of care that comes with helping players interpret and communicate has seemed to have gone down in importance since the rise of Latino players.

Michael Pineda, a Dominican pitcher who signed with the Seattle Mariners at 16 years old, was an instant success in 2012 when he began pitching in the Majors. Pineda knew almost no English when he came to the Major Leagues, but he worked on improving his language skills with the help of the Mariners organization. “The language barrier was the biggest issue, but Pineda tackled English with gusto. As is now standard practice in MLB, the Mariners require their Spanish-speaking prospects to take regular English classes. Pineda is at the point where he does his postgame interviews in English, though he will use the help of a translator for more in-depth interviews. In addition to English lessons, the Mariners bring in speakers during spring training to

instruct Latino players on many topics, including how to dress, dining etiquette, banking and investing, dealing with the media, and public speaking.”<sup>18</sup>

However, in the 2014 baseball season, Pineda got into some deep trouble when he was caught using an illegal substance known as pinetar. Pinetar is a sticky substance that is limited in use in Major League Baseball, because it helps pitchers grip the ball better and it allows pitchers to throw more accurately. Pineda, who now plays for the New York Yankees, was called out by the Yankees rival team the Boston Red Sox for the use of pinetar, which many people pointed out they could see on his pitching hand during the game. Pineda was not caught, but was being heavily watched. The next game in which Pineda pitched against the Red Sox, television cameras saw what looked like a brown substance on his neck. When the umpires came to check Pineda, they found that he in fact was using pinetar.

This situation seems like it was just another player caught using an illegal substance in baseball, which happens all the time. However, some believe that it was a lack of communication that led to this situation. Pineda’s teammate and Puerto Rican immigrant Carlos Beltran believes that it was a lack of communication between Yankees management and Pineda that led to Pineda using pinetar again. “Wasn’t Roman there?” Beltran responded, referring to Yankees bullpen catcher Roman Rodriguez, a native of Venezuela who has translated for Spanish-speaking Yankees players. When Beltran was told Rodriguez, who offered to translate but was informed he was not needed, was not used to translate for Pineda, Beltran expressed disdain. ‘It’s a problem, of course, because he can’t express himself the way he wants to,’ Beltran said. ‘It’s a problem. Of course it is.’<sup>19</sup> This shows that despite Pineda’s training in the English language and his commitment to learning the language, his limited use of the language causes headaches for many. “Pineda has trouble understanding questions and formulating responses, and though he can manage to hold his own when limited to typical, innocent baseball discourse, it became an issue when he addressed a far more serious matter with dozens of media members in a crammed visitor’s clubhouse at Fenway Park Wednesday and Thursday — and perhaps was a factor in his second blatant pine-tar use in two weeks that led to a 10-game suspension.”<sup>20</sup>

There are two important things to take away from this situation one situation. One, is the lack of interpreters provided by Major League Baseball for Spanish speaking players. It is critical that there is an understanding of situation from all sides in order to make sure a player is successful at the Major League level. The second important takeaway is the overreliance of Major League Baseball on Spanish speaking players and not professional

interpreters. While having another Spanish speaking player can be a quick and easy solution on the field, the reliance on them for things outside of the field can be a messy situation. Players are rarely trained in interpretation, which requires a nuanced training in effectively communicating emotions and other elements. If baseball wants to provide its Latino players with a more effective communication, it needs to invest in a translator that can manage interpreting both on and off the field when needed.

## CASE STUDY 2: JAPANESE MIGRANT ISSUES

Asian baseball players have not made the same gigantic leap in numbers that Latino players have made. Less than 4 percent of major league players were born outside of the United States or Latin America. This puts Asian players especially in a minority status. However, their presence has been felt by many, especially when the players who come over are extremely capable players. The one country who has produced some of the most successful Major League players is Japan.<sup>21</sup>

Japan's successful major league players are able to handle much of what American media and culture throws at them because they have been trained to deal with this sort of attention and scrutiny. The major problem for Japanese players is the isolation and loneliness that comes for many when coming into the Major Leagues. While the reliance for Latino players maybe too much on other players, Japanese players may also have an over reliance on their interpreters.

### *FACTOR 1: WESTERN TO WESTERN IDEAS OF WEALTH AND FAME*

Japanese players have been a successful when transitioning to the Major Leagues because they have already been professionals when they enter the Major leagues because they have spent time in Japanese leagues. Players like Hideki Matsui, Ichiro Suzuki, Marahiro Tanaka and Yu Darvish all are success stories of Japanese players coming to the United States and transitioning almost flawlessly. These players all have one thing in common, they were wildly successful before they came into the Major Leagues.

Japanese Leagues were established after an influx of United States influence on Japanese culture. American's introduced baseball to a wide Japanese audience after World War II. Baseball slowly began to sink its roots in Japanese culture and from there professional leagues were established in order to capitalize

on interest. The professionalization of Japanese Leagues have had plenty of help from American players as well. "Since the establishment of Japanese professional baseball, American players have formed an essential part of Japanese baseball. To date more than 600 Americans have played in Japanese professional baseball leagues. In Japan, a limited number of foreign players (at present, four) are accepted on each team as "suketto," a person who comes to help when needed. American suketto have significantly contributed to the improvement of Japanese baseball skills and sportsmanship."<sup>22</sup>

The other key aspect of Japanese players transitioning so well is the age at which they come into the league. Out of the four most successful Japanese players to come over to the United States in the past few years, almost all of them spent multiple years playing in a professional atmosphere in Japan. Hideki Matsui played ten seasons for the Yomiuri Giants.<sup>23</sup> Ichiro Suzuki played nine seasons for the Orix Blue Waves.<sup>24</sup> Yu Darvish played seven years for the Hokkaido Nippon Ham Fighters.<sup>25</sup> Marashiro Tanka played almost eight years for the Tohoku Rakuten Golden Eagles.<sup>26</sup> All of these players had successful transitions and careers in Major League Baseball because they had gone through the professional life of a baseball player that is reflected in Japanese Leagues.

When all of these players came over from Japan, there was a storm of Japanese media who came along with them to cover their success in the United States. This was especially true for Ichiro Suzuki and Hideki Matsui. Both players were extremely high profile figures in Japan, and when they both had amazing success in the United States, it was a huge deal in Japan. In his first year in the Major Leagues, Suzuki won the Most Valuable Player Award, the highest award given in a season. Matsui, another high profile figure with the nickname "Godzilla", signed with the New York Yankees, the most high valuable professional sports organization in the world. The combination of both New York and Japanese media had Matsui dealing with a high level of scrutiny. However, Matsui never complained and always handled himself well despite the attention.<sup>27</sup>

The high level of attention and the professional atmosphere of Japanese Leagues provide a much better introductory level for its players and it makes the transition to American baseball and professional life seamless. It provides a background for players to have an understanding of how professional culture of baseball is played and makes the transition to any similar league a much easier experience. However, this transition is not without its faults.

### FACTOR 2: TRANSLATION BARRIERS

The major problem that Japanese players face is the ability to communicate effectively and learn the English language. It has been proven that the transition for a person who speaks Spanish or any other language that is similar to English has a much easier time picking it up than a person whose native language has a completely different structure. This makes the classroom setting that many Spanish speaking players go through ineffective for many Japanese players.<sup>28</sup>

Many of the Japanese players do not have to go through the same classes that some of the Latino players must go through, however they are given much more access to interpreters. It is rare to find someone on a team who is; 1. An international Asian player and 2. From the same country as that player as well. There is no real defining culture of Japanese players because there are so few.

Interpreters become that much more necessary for Japanese players to communicate. “While ballplayers earn hefty paychecks and achieve international fame, translators often go unnoticed by the public. Far from being anonymous communication conduits, however, translators play vital roles in helping foreign baseball players become acclimated to a foreign country, so they can focus on their jobs. In turn, translators share in players’ successes and failures.” Major League Baseball recently adopted a rule that allows some players to bring their interpreters onto the field during timeouts in order to communicate with teammates or coaches. “The reasoning is that Asian players go directly from overseas teams to the majors without time to pick up English in the minors. Also, most linguists consider the transition to be more difficult than it is for Latino players.”<sup>30</sup>

The experience for Japanese players is not always a good thing. There have been instances of many Japanese players who have not seen the same success in the United States due to isolation and loneliness. Teams have since tried to provide the translators as a way for the players not to feel isolated from the team. It can be a tough transition when a player is on a team in which no one culturally identifies with him. The lack of Japanese players make it impossible to start any sort of brotherhood or cultural identity within baseball. During large gatherings of players, such as the All Star Game played in the middle of year that brings the best players in the game to play one game, it is really apparent that the Latino players have created a community based on a shared identity. However, with very little Japanese players in the game, it is hard to get that same sense of community.<sup>31</sup>

Even having a translator can have some negative consequences. When Yu Darvish was asked about Marahiro Tanaka receiving a huge contract, his translator said that Tanka had received too much money. The translator didn’t interpret the sarcasm Darvish used when says that. Darvish received some backlash from many people, but he

quickly made sure people know his quote was meant as a joke. While this miscommunication is only a minor miscommunication, it shows some of the problems that can arise when any one is transitioning into a new culture.<sup>32</sup>

### ANALYSIS

The two case studies show the two primary factors that give a clear outline of some of the problems facing Latin American and Japanese baseball players. They both have similar experiences of transitioning into United States culture, however, they are both prepared to handle such experiences in different ways.

The major problem for many Latino players now is that the investment in them is so high that they have to skip much of training that requires them to be prepared for the Major Leagues. Teams invest millions of dollars into these young men, who in turn have to perform in order to keep getting the enormous amounts of money they receive. If they do not perform, then they are let go. With this comes more pressure to get to the top of the mountain without starting at the bottom first. Many of these players skip the minor leagues, the one place where they can grow and adjust before going into the majors, in order to fulfill and not disappoint the people who pay them. The Japanese players on the other hand have had time and training to adjust to professional baseball life and can handle certain aspects of the game. This is where baseball needs to decide if the long term success of the player is more important than the immediate success. Major League Baseball should discuss a rule in which some players who have not had at least two years of professional or minor league play cannot be allowed in the Major Leagues. It would be better for the development of the player and the long term investment of the team.

The second factor of better communication education or communication professionals also has to be discussed further in Major League Baseball. For Latino players, it is important that the MLB expand the use of interpreters for Spanish speaking players. It is fine if there are some players on the team who speak Spanish to do quick translations, but it is important that when there is information that needs to be passed from one player to another, or to a coach, or to someone in a management position, that the player understands all the information given to them. On the flip side, it is important for Japanese players to also feel accepted on their teams and not be treated as outsiders. This requires Major League Baseball to provide classes for all Major League players to understand that it is important to create a sense of baseball culture for those who are not from the United States or are not part of a cultural brotherhood inside of baseball.

## CONCLUSION

The general topic of baseball and migration as an academic study are limited in the amount of academic information that is out there. Most of the experts of baseball talk about the abilities and talents of a player, but rarely do they discuss the multiple levels of migration and culture that need to be discussed. It is hard to discuss the issues that migrant baseball players face, without seeing some examples of players who don't struggle as much. This can cause doubt that any of these issues are relevant to the game of baseball.

This paper was limited by not only the lack of study on baseball migration, but the ability of many of these studies to see where players go after long periods of time. It is easy to hear of success stories in the MLB as all of these players are written about constantly, but it is rare to hear the stories of failure. This is also a reflection of baseball culture, no one cares about the people who fail. However, their stories are important, and it would be great to have examples of migrants who failed to reach their dream and compare what went wrong in their path compared to the ones who succeeded.

This paper was also limited to discussing two factors that contribute to this issue, but there is a third factor of family that is also important to discussing this topic. The cultural ideas of family probably had a deciding factor for many of these players when discussing coming to play baseball in the United States. It may also explain why certain players are able to adjust to a new life so well compare to someone from a different culture.

Major League Baseball has always been at the cutting edge of change in America. International players and players of all different races were welcomed in baseball before many other major sporting leagues. However, this issue is an issue they have yet to address fully. No transition of any migrant is easy. However, Major League Baseball needs to provide its players with more opportunities to take advantage of in order to succeed. If they were change some policies around, not just for migrant players, but for all players, then maybe there will be a more cohesive migrant system in place and more migrant players will succeed.

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# WHEN ENOUGH IS ENOUGH: THE EMERGENCE OF ALBANIA'S CIVIL SOCIETY

ALICIA EVANS

## INTRODUCTION

Albania is perhaps one of the most beautiful countries in Europe, with one of the worst reputations. Known more for their issues with human trafficking and the corruption of government, Albania has become the leper among the Balkans. Although the stigma persists, Albania has made great strides in its transition to democracy since the fall of the communist regime. One of the main reasons for their continued advancement is Mjaft -- the first civil society organization created in Albania. Mjaft was formed due to the country's tragic history and the apathy that plagued the citizens of Albania since the communist regime. Beginning as a four-month campaign and continually growing to become a society of over 8,000 members, Mjaft was the jumpstart that provided the people, youth in particular, with the awareness and ability to make a difference in their own country.<sup>1</sup>

## POLITICAL HISTORY

Albania, like much of the Balkans, has been rife with conflict since before the World Wars. It is only in the recent ten years that

some sense of stability has come to the country and government. The Communist party held control of Albania until the early 1990s.<sup>2</sup> Known as the Labor Party, they were one of the most extreme cases of communism in Eastern Europe. Any and all political protestors were ruthlessly rounded up and killed. The Labor Party controlled all communication and propaganda, and this allowed the Secret Service to penetrate all aspects of society. The individual came under state control, with both private property and religion banned.<sup>3</sup> Farmers were forced to collectivize both farms and livestock, and extreme persecution of "offenses" led to a complete lack of dissenters by the 1980s. There were no organizations of any type that had ideas of protest, and with the ending of relations with China, Albania became completely isolated from the rest of the world.<sup>4</sup> The government fell apart in 1991, not due to any inside protests, but instead to economic instability and events occurring throughout the Eastern Block. This lack of action in the case of the Albanian people was one of the main contributing factors to the slow transition to democracy following the end of the Communist regime.<sup>5</sup>

The transition period of Albania was slow and often painful due to the complete lack of personal liberties and political dissenters. Democracy was adopted not due to the fact that it is democracy,

but as a reaction to the former political regime. Democratization was also slowed as a result of little experience with political liberation.<sup>6</sup> The Democratic Party that was created was in essence an amalgamation of all peoples, but lacked any true fundamentals of democracy. Democracy was viewed more as anti-communism, which is the primary reason for why it was implemented. Albania was focused on expanding personal liberties and destroying of any remnants of communism.<sup>7</sup> Freedom, as it was defined in post-communist Albania, was based around opposition of the state and a deep resentment for collectivization. Hostilities against the state flourished along with destruction of state properties. A vacuum effect came into play, as communities refused to utilize collective action to fill the void left by the retreating state.<sup>8</sup> Large-scale changes also occurred throughout the traditional communities with many moving from rural areas into urban centers as well as large amounts of Albanians moving to neighboring countries. The largest impact was the state's removal from the lives of its citizens.<sup>9</sup> This left citizens ill equipped to cope with the dysfunction of Albania's market economy. Citizens and the state both lamented the fact that the state was essentially absent. Freedom at this time was almost equivalent to anarchy due to the suspicious nature of the citizens and their fear of anything that was a reminder of the former communist regime.<sup>10</sup>

### MJAFT: "ENOUGH" IS ENOUGH.

Despite these issues, large-spread social reforms swept through the nation and Albania's economic growth leapt far ahead of its neighbors. Civil society organizations and independent media sources began to emerge, voicing their issues with the then President Berisha and the Democratic Party.<sup>11</sup> Concerns began to surface as the Democratic Party began to show undemocratic tendencies, beginning with pressuring and prosecuting journalists. Using the rationale of a war against communism, the Democratic Party began passing restrictions on the civil liberties of their opposition and concluded with rigging the 1996 elections in the Democratic Party's favor.<sup>12</sup> These elections were followed by the collapse of several pyramid schemes in which large amounts of people lost their entire life savings. These two events were the fuel for an uprising led by the frustrated opposition and the citizens of Albania. This violence caused the collapse of the entire state and almost destroyed any and all progress made since 1991.<sup>13</sup> The country began to recover following elections in 1997 when the Socialist party came into power. Rapid progress began with the reconstruction of state institutions and the reestablishment of order. Media began to expand and civil society began to

strengthen.<sup>14</sup> The government became less authoritarian, but in turn it became rife with corruption and competition among the Socialist party while state officials grossly abused their power. As disputes continued, Albania became known as the most corrupt country in the region.<sup>15</sup>

In 2005 the aggressive image and anticorruption platform of the Democratic Party led to their victory over the Socialist party. They won not only the election but the ability to create a new government. Led by the new Prime Minister Berisha, the new Democratic Party seemed determined to fight corruption, but it still continues to be an issue in public administration.<sup>16</sup> Albania is currently seeking entrance into the European Union, though the unrelenting issues with corruption and the problems that have plagued Albania since 1991 have slowed the process for fulfilling the political criteria for EU entrance.<sup>17</sup> Due to continued societal issues and the corruption of the state, civil society groups began to increase; Mjaft is one such organization. The name of the organization means "Enough" in Albanian and was created by Erion Veliaj and two of his friends. It is a youth led group, that since its founding in 2004, has grown to include over 8,000 members.<sup>18</sup> Its creation was sparked by the marked corruption and the social injustices of the Socialist Party before 2005. Protests against waste dumping were the initial springboard on which Mjaft got its start.<sup>19</sup> They gained popularity through well-executed public protests that gained media attention and embarrassed the old guard. Mjaft did not only address the issue of waste dumping, but everything from human trafficking to high phone bills. Mjaft empowered the youth population and gave them a sense of activism and the potential impact they could have on their country.<sup>20</sup>

Youth activism in Albania has continued to grow as Mjaft has expanded. Albania has one of the youngest populations in Europe, one that until Mjaft's creation was apathetic to the issues that plagued Albanian society.<sup>21</sup> This apathy was largely created by the legacy of the former regimes and the inability of the people to affect change in their own society. Citizens essentially gave up, many gained a visa and left or continued to blindly reside under the control of corrupt government and incompetent politicians.<sup>22</sup> One of the main impacts of youth activism is that young people experience and see the world and its problems in different ways. They are more willing to reach out and take risks; the founders of Mjaft were only twenty-two years old when they created a four-month campaign that would become the substantial organization that now operates in 18 cities throughout Albania.<sup>23</sup> Much of Mjaft's success in catching the eye of the youth was their approach to political protest. Fun and innovative methods gave the youth of Albania something to connect to and, in doing so, Mjaft's protests



were the catalyst for a more aware and a more politically active citizen.<sup>24</sup>

In 2004, before elections, Mjaft was invited to speak on advancing democracy in Albania. In the presentation, Veliaj outlined the ideas that would become the mission statement for the Mjaft organization, the same statement that continues to be the mission of Mjaft ten years after its creation.<sup>25</sup> Accountability in government was the first of many points that Veliaj made during his speech. He discussed the fact that elected officials are not being held accountable to their constituents because they are not needed for reelection.<sup>26</sup> Many of the citizens of Albania are not registered and as such there is no accountability as elected officials base their votes on party lines and not the best interests of the citizens. He also discussed the issue of political parties being able to affect the voting outcome by having the ability to register and unregister voters without citizen's consent.<sup>27</sup> Following this, Veliaj outlined the rest of Mjaft's political stances.

Veliaj also spoke about governmental corruption and issues with the media. Pressuring and persecuting the media was an issue that was made very evident in the government before 2005, and there are still issues with the media in the present day.<sup>28</sup> Corruption in the government has been a longstanding issue in Albania since before the communist regime. In recent years, there has been improvement due in part to Albania's efforts to gain access to the European Union and to the active participation of Mjaft. The organization has been at the forefront in promoting awareness and community involvement in politics.<sup>29</sup> Apathy in politics is one of the main issues in Albania due to the previous communist regime and their complete destruction of any form of protest. Mjaft has dedicated itself to increasing awareness and involvement not just in politics but also in communities. Encouraging volunteer work is one such way as it was formerly stigmatized under the Labor Party.<sup>30</sup> Mjaft now has over 1,000 volunteers in its organization that work in the community and maintains a flexibility that has allowed them to take action in a number of topics. This flexibility allows the organization to continue growing, while also permitting them to focus on community outreach and involvement.<sup>31</sup>

## CURRENT ISSUES AND SUCCESSES

While Mjaft has become one of the most successful civil organizations in Europe, issues have arisen around the founder Erion Veliaj. Once a leader in Mjaft, he is now the Minister of Youth and Social Change and a member of the Socialist party.<sup>32</sup> His entry into politics has caused polarized opinions in Albania.

Some view his entry into the Socialist Party as the natural progression of his political involvement. After making such a large impact on civil life as the leader of Mjaft, it is only logical for him to apply his skills in the government itself.<sup>33</sup> Veliaj dismissed the criticisms of his recent entry into the political arena. Against the idea that Mjaft was a platform to kickoff his political career, Veliaj stated, "If Mjaft gave me a public profile, it's a sin not to use that to promote the same causes now in politics." Many agree with him; former and current members of Mjaft had a similar opinion.<sup>34</sup> The differing opinions that have arisen are based on the lack of trust that the citizens of Albania have towards political figures. This is a justified reaction considering the corruption of the previous regimes, and the claims of corruption in the current government.<sup>35</sup> This is aided by the stance that Mjaft has taken as a civil society group. Mjaft has claimed a permanent stance of opposition; they will remain against the government and only align with the people. This distance from political parties is what has allowed civil society groups to flourish, not only in Albania but also in the rest of the Balkan region.<sup>36</sup>

This continued distance from politics is what has allowed Mjaft to retain the trust of the people and what has also inspired their actions. Mjaft's protests are not the place for anyone who is in or was in politics.<sup>37</sup> Politicians can be punished if they appear at a protest, as seen last year when former Prime Minister Berisha tried to take part in the protests. He was driven away by an emphatic public. The protests are for the citizens and they maintain that. After so many years of oppression, the freedom to protest against the government is the only tool that the citizens of Albania have.<sup>38</sup> This fervor for utilizing protest to affect change was seen just this last year. A deal to decommission banned munitions from Syria in Albania was on the table for Parliament in the past year. Mjaft organized a protest demonstration that brought thousands of Albanians from all walks of life together.<sup>39</sup> The protest was like many of their previous ones, with a large online campaign and colorful costumes that included gas masks and biohazard suits. It was a demonstration not just against the weapon dumping, but it was also a demonstration of the activism that has become apart of the Albanian people. They showed their right to be heard; they showed that they are not longer apathetic.<sup>40</sup> While Albania has had the stigma of being a dumping ground for toxic waste and weapons, the protests of Mjaft were heard as Prime Minister Rama declared that he would refuse to decommission the weapons. This marked a large success for Mjaft and a large turn for the government, which since 1992 has been a staunch ally with the United States.<sup>41</sup>

CONCLUSION

The resounding success of the revolution of activism in Albania has been a turning point for a country that, before 2004, did not have a citizen’s voice. As Mjaft continues to grow and as they continue to give a voice to the citizens of Albania, they will continue to have success. Change may be slow but it is happening. The lack of civil society before 2004 was due to Albania’s political history, as is the creation of Mjaft. Albania is a country of the young; Erion Veliaj is only in his thirties, but he is already a Minister. This younger generation is what will continue to shape Albania. He and the other founders of Mjaft that have joined the Socialist party were the voice of the people. They and others like them will hopefully remain that voice, even as they integrate into the political arena. For Veliaj, joining the government that he once mocked in protests is the best way to change it.<sup>42</sup> It remains to be seen how much change will be affected, but as Albania continues to work towards joining the European Union, perhaps we can see progress sooner rather than later.

FOOTNOTES

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# IRREGULAR WAR FOR THE TWENTY-FIRST CENTURY

FRANCIS SMILEY

## INTRODUCTION

Since the attacks of September 11, 2001 a discussion has sparked in regards to what kind of war the United States will encounter for the remainder of the century how is this form of warfare best prevented and countered. All sides of this discussion can agree that irregular conflicts are much more likely to occur in the relative future; rather than large-scale conventional conflicts. Although the conventional force-on-force conflict is and will continue to be a U.S. national security threat as nations do continue to become aggressive overtly and covertly, irregular threats will remain the long-term main security concern for the U.S. Contemporary use and the future of war and conflict within the irregular spectrum range from a wide variety of tactics and methods for which an actor could use. From terrorism to cyber-space, irregular war has change and adapted well to international growth and advancement. The need to prepare for irregular war, in any situation, requires an approach of understanding more so than of sheer physical superiority, a concept that has plagued the U.S. military for decades. The following observations into the irregular war environment should allow for better insight of the wide variety of tactics and methods used, not only by the U.S. and our allies but our enemies, through irregular war. These are reoccurring activities that seem to be growing in popularity, and will continue well into the remainder of the twenty-first century.

## THE SOURCE

Countering irregular threats through military means do not present clear avenues for success that have generally been seen on the historical battlefield, rather success consists of important 'spaces' within an environment. Success can be defined as having lasting effects on the conflicted area, in that the entities that are targeted do not re spawn after operations cease. These spaces within an operating environment have been traditionally ignored or left as second priorities by conventional militaries throughout history. The current U.S. Department of Defense (DOD) definition of Irregular Warfare is as follows: "a violent [nature of conflict] struggle among state and non-state actors for the legitimacy and influence over the relevant populations [of the operating environment]." This definition clearly states the primary objectives of any military force involved with an irregular conflict, to achieve the legitimacy as the force for good from a population and maintain a positive presence throughout active military operations. Within all populations many factors come into play when trying to either maintain or achieve legitimacy, such as political and economic stability, law and order, health service availability as well as preserving the social atmosphere and structures. These factors then become key influential tools for either combating side of the conflict, in gaining the leverage over the other through the populations support. Using the U.S. military and the irregular conflicts for which it is currently involved in as well as past conflicts, we see that history has a tremendous impact on not only

preparing for conflict but also by recognizing patterns of warfare that have led the U.S. to where it is today.

The U.S. military performance on the battlefield, meaning the time and place for which kinetic activities between two combating forces commence, is not a concern. The U.S. military has a wide variety of tools within its arsenal that allow for complete success against an overt enemy. The concern is how does the U.S. military as whole, which is largely directed at the building and maintaining of conventional strength and superiority, prepare for future irregular conflicts? Today more than ever, militaries across the globe including the U.S., have built up their specialized forces that employ a wide variety of tactics and capabilities in confronting all fields of irregular war. For the U.S. these forces make up the Special Operations Forces (SOF) community, which includes units from all branches of the U.S. armed forces. U.S. SOF specialize in methods of producing and countering irregular threats such as unconventional war, counter-terrorism, counter-insurgency, direct action and a multitude of other tools that match the irregular fighting environment. Although U.S. SOF, along with various government agencies, are able to counter a variety of irregular threats, it cannot be massed produced and developed to the size of the conventional U.S. military. So when U.S. political leaders decide conventional troops and capabilities are necessary to be deployed, and the environment for which they are entering is clearly irregular, how does conventional military might achieve dominance? Historically U.S. conventional troops have lacked success with populations; most often they have targeted populations as part of a grand strategy. During World War Two and Vietnam, targeting civilian population centers were main objectives, especially through the fire bombings of both Germany and Japan as well as the bombing of the North Vietnamese infrastructure.

Currently, mostly in part due to realizations by military and political leaders of the changing strategic importance of the populations in, like in Iraq and Afghanistan, the conventional U.S. military has restructured many of its tactics and reorganized its strategies in its use of tools to better prevent harm to a civilian population. Still Iraq more so than Afghanistan showed that U.S. conventional troops were underprepared for the situation that spawned following the 2003 invasion. The Iraq situation can only be avoided in the future through time and experience. New generations of military and political leadership should allow for a greater understanding of warfare through the experiences of the last fourteen years. What will always prove to be a valuable tool in better preparing military and political leaders on the possibilities if conventional troops are deployed in irregular spaces is the study of history. History has a true effect in many cases, depending on

how one looks at a particular place in history. When looking at the history of the U.S. deploying troops in a massive-scale the threat changes from the aggressive foreign non-state actor to the actual U.S. military force

## THE HISTORICAL APPROACH

There are a variety of avenues for an irregular threat to emerge, from sectarian strife to political instability, security concerns become difficult to predict. An irregular force historically has had the upper hand in any environment in that the force itself spawns from within an existing conflict of some sort. These conflicts can range from religious animosities spanning centuries, political rivalries and instability within the last century to blowback effects of hasty wars and conflict of nation states. The twentieth-century produced valuable examples of historical events that have led to many contemporary irregular threats. Some of these events include the anti-narcotics activities of the U.S. in Central and South America, continued sectarian rivalries in the Middle East and Africa, as well as political instability throughout the world such as in South East Asia, Eastern Europe and Africa. What these few but valued events show is that irregular conflict can be determined through 'at-risk' assessments of nations and populations around the world where fears, anger and hostilities have been common for years, decades and in some cases centuries.

As for the U.S. military and irregular warfare the lessons of history are presented in past decades, throughout the Cold War era of the twentieth-century. Conflicts such as the war in South Vietnam, military activities throughout Central and South America, and the U.S.-Soviet third-party conflicts in Africa have all produced irregular threats towards the U.S. and others in contemporary times. These events in history all present lessons of direct and indirect war, as well as their repercussions down the road. For military and political leaders in the U.S. they can be harsh realizations and in some cases of failure can be hard to reference. Though by realizing mistakes and learning from lessons through failure, can allow for future mistakes to be avoided and a greater chance of success to be achieved, even from the proudest of nations and their militaries. Of course historical data and lessons cannot answer all questions about defeating contemporary irregular threats, though understanding irregular warfare and all its fields can reveal trends that not only inform national debate but allow our military and political leaders to better be prepared of specific situations; or at least that is the hope.

## CONCLUSION

If the patterns of war continue down the path of irregular means and strategy, as they have, the U.S. and its military should begin to observe their histories involving irregular situations more so than they have in the past. Greater understanding of the strategic objectives within an environment and by gaining the success within the operating spaces will enable the U.S. military to avoid past experiences of failures within irregular warfare. This observation sought to introduce, briefly, the concept of irregular warfare and used the U.S. as a constant example. The study of war is never strictly academic, nor is it a strictly military function. Theory and its implementation are collaborative efforts that should work together to best solve U.S. direct and indirect military action within none conventional environments. Policy and its implementers must also begin to understand the concept of fighting an irregular war, that in some cases more than others the perceived threat(s) could dictate military actions and though serious threats may seem like military action is needed it is best to avoid direct or indirect efforts. Being well versed in the history of military interventions and foreign affairs can bring its obvious benefits, however what was not discussed was how it could also be a negative attribute in the realm of military action and irregular war.

As new threats such as the Islamic State, gain power in Syria and Iraq, history and irregular warfare must continue to become a constant discussion among not only academic communities, but military and political leaders. This would, in theory, allow for better understandings and eventual preparation for future irregular conflicts into the remainder of the twenty-first century. Discussions points involving questions of military reform, political and military history, war theory, as well as discussion on contemporary conflicts around the world and how they fit into the historical form of warfare. These points should push individuals to think critically within a field that has always been human nature, war.

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# EXPLORING THE POSSIBILITY OF RECONCILIATION OF US NATIONAL SECURITY RESPONSIBILITIES AND UPHOLDING DEMOCRATIC VALUES THROUGH THE USA P.A.T.R.I.O.T ACT.

NIMRA SYED

“**N**o one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time,” (Churchill 1947). The United States prides itself to being a nation that promotes open markets, fair and free elections, and civil rights for every citizen— the essence of democracy. After the Soviet Union fell, the United States became the leading international hegemony both on a political and economical sphere. For a period of time, it had seemed that the United States was untouchable, but after the events of 9/11 took place, not only did it shake the United States’ confidence in its own security, but it also introduced a realization that with the security of the United States at stake - so was its arena of democracy. Soon after, there was an understanding among leading officials and the majority of the United States population that measures were needed to be taken to retaliate against the adversary that caused this tragedy and to ensure that this never happened again. This realization led to the initiation and ratification of the “Uniting and Strengthening America by Proving Appropriate Tools Required to Intercept and Obstruct Terrorism,” also known as the USA Patriot Act (2001). This Act, specifically Title II (2001), focuses on intelligence domestically

in hopes of intercepting terrorist activities and securing the nation. This is a key piece of legislation, which embodies intrusive intelligence capabilities that directly affects the nation’s citizens and concurrently working to promote national security. Though there is a significant amount of controversy that surrounds it, the Patriot Act is a vital tool used to collect intelligence and protect the American nation from future terrorist attacks.

I argue that the balance between democratic values and our national security through the Patriot Act can occur through transparency of actions used by investigators to foster trust in the government, accountability of the aforementioned investigators who have access to the information, and clarification of the vague rhetoric written in the Patriot Act itself. In order to do this, I will begin by going through my first two policy prescriptions: transparency and accountability. Following those prescriptions will be a key example of how transparency and accountability work in conjunction to one another and how these two would present a balance in reality. My last policy prescription will be in regards to clarification of the Patriot Act itself, while tying in the first two prescriptions into it. Afterwards, a counterargument will be presented as well as a piece on the significance of this topic in relation to striking a balance between democratic values and

national security, which will concurrently tie in time horizons. Lastly, there will be a concluding paragraph providing an overall analysis to the paper.

The first policy prescription to ensure that there is a balance between democratic values and national security is transparency in regards to the use of the Patriot Act itself. According to President Barack Obama, transparency “provides information for citizens about what their Government is doing... [Ipso facto] information maintained by the Federal Government is a national asset,” (Obama). One of the key issues that has led to public dissent and congressional concern with regards to the Patriot Act, Title II is the fact that it is not clear who is being targeted through these tactics, why that person is being targeted, and what the outcome of the suspicions are. The excessive amounts of secrecy around the use and results of the USA Patriot Act, which can lead to a lack of information, makes it difficult for Congress to review and check whether the actions done by and through the executive branch is positive for their constituents (Herman, Romero, Zacks 2009). As Congress’ role stands as a representative for the people, it is vital for Congress to be involved in a domestic process that directly affects citizens under their purview. With our elected representatives involved in the process, it could potentially be a key step in fostering trust in the government.

Interestingly through this secrecy, it can be said that the executive branch takes on characteristics of the private sector. One of the biggest distinctions between the public sector and the private sector is the transparency that typically characterizes the former. With the excessive amounts of secrecy involved with the Patriot Act, it is as if the executive branch has taken on privatization characteristics. A study by political scientists, Roberto Pablo Saba and Luigi Manzetti (1997), found that conditions for corruption and abuses of power are a factor of high executive discretion and low transparency, which is what we begin to observe is happening in the government in relation to the Patriot Act. Our government was built on a preamble of openness and transparency – a foundational element of good governance and without it, we lose sight of who we are as a nation. The Patriot Act is an important tool in helping the United States maintain its national security, but there must be some compromise to strike a balance between national security and maintaining our democratic values. To do this, the Patriot Act needs to have some semblance of transparency.

Though there is validity to the argument that where some documents must be classified to the public itself, there must be a limit to the low amounts of transparency. The executive bureaucracy must compromise and show some semblance of transparency in regards to the utilization of this tool. This prescription serves as a first step in a two-step process to ensure

that a balance is being struck between our national security and democratic values because as process and utilization becomes transparent, it would make it easier and more likely for the investigators to be accountable for their actions to ensure legality.

The second policy prescription in regards to striking a balance between national security and democratic values involves accountability for those who utilize the Patriot Act, Title II tactics. A common, valid fear among most United States’ citizens in regards to the Patriot Act is the law enforcement and governmental abuse of powers obtained through the Act itself. There is a thread of concerns, which begins with the core question: who checks and balances the powers of the collectors and recipients of this information to keep them and their actions accountable. We come from a system where our democratic values revolve around, “rulers [who] owe their power and accountability to the people,” (Sarkesian 2013, 10) yet there is no clear and official entity that does so. The presence of the Inspector General is enshrined in the Patriot Act, as he or she must report violations every six months to Congress (Robinson 2007). While this seems like a “credible” entity, when examining the organization of the United States government, it is clear that the Inspector General is not only a part of the Department of Justice, but the latter is the byproduct of the executive branch. This is cause for concern because that would mean that the executive branch is solely checking itself, which may potentially lead to abuses of power to occur. While the Inspector General has done its job to report and reveal instances of misuse and misconduct, there is still a possibility that some violations may have been omitted. Another problem with this set up is that the Inspector General gets involved after the fact instead of being there to check the powers while the violations are occurring. This is observed through the Inspector General Audits, which “confirmed widespread FBI mismanagement, misuse and abuse of these Patriot Act authorities,” (Herman, Romero, Zacks 2009). It is through this reasoning that the Judicial Branch must get involved and provide judicial review to the executive branch utilizing the Patriot Act. Judicial Review must be a part of the process in order to avoid these abuses of power from happening in the first place. Not only would the Courts play a role in checking the powers of the executive branch, but would also protect those members of society who could potentially be exploited through this Act, such as minority groups (Herman 2006, 69). Our founding fathers built this nation on the notion of checks and balances to explicate accountability and in order to do so, either the Judiciary or Congress must check the powers of the executive branch and ensure that the rights of citizens are not being violated in the name of national security.

Reforms, such as accountability and transparency, within the Patriot Act could be the key to striking a balance between upholding our democratic values and maintaining our national security. To present how this would work, the following is an example of a concerning, secretive activity used by the executive branch via the Patriot Act and how accountability through judicial review and transparency of actions could strike that balance. The Patriot Act extended the use of National Security Letters, which “served on communications service providers like phone companies...allow the FBI to secretly demand data about ordinary American citizens’ private communications... without any meaningful oversight or prior judicial review,” (Electronic Frontier Foundation 2014). On top of the letters being issued, those who received the letters were bound by “gag orders,” which basically meant that those who received the letter could not tell anyone about the content of the letter itself (Electronic Frontier Foundation 2014). While understanding that the FBI must do its job to investigate suspects and use National Security Letters via the Patriot Act to do so, the balance between our democratic values and national security begins to blur in this instance where you are given a choice to choose which takes precedence: national security or the rights of citizens. Unfortunately, without some semblance of accountability and transparency, that’s the situation that is presented – national security versus rights of citizens. What the American Civil Liberties Union presents are reforms in relation to accountability and transparency mentioned before, which include “judicial oversight of all Patriot Act authorities” and the limited use of gag orders, which would only occur, “when necessary to protect national security,” (Herman, Romero, Zacks 2009). It is through these measures that we can assume that activities under the Patriot Act are not being abused and are being done in the best national interest.

Lastly, the final prescription to reconcile democratic values and US national security is the need for Congress to carefully go through the Patriot Act itself and clarify vague and unclear language. This is crucial because without doing so may contribute to a broad interpretation of the Patriot Act itself and lead to potential corruption and abuse of power. The first key example was when the ACLU (Herman, Romero, Zacks 2009) cited that the Patriot Act included a provision that “might allow actions of peaceful groups that dissent from government policy to be treated as ‘domestic terrorism,’” (U.S. Department of Justice). While the Department of Justice “dispelled the myth,” stating that domestic terrorism is cited when there is conduct that “violates federal or state criminal law and is dangerous to human life,” this is an exhibition of a significant hole in the Patriot Act, which could have led to legal suppression of first amendment rights – the antithesis

of a democratic society and values. It is vital for legislators to fully go through the Act, Title II specifically as it is the scope of this paper, and clear out ambiguous and vague text. One way of doing so would list out special circumstances and limitations of the Patriot Act itself. It should be noted that for this to occur, the former two prescriptions of transparency and accountability would need to be present because without them, Congress will not fully know the context in which to phrase, revise, and clarify such vague language. As the Patriot Act has direct implications to the citizens of the United States, it is crucial that every word and provision is clarified with all of its tools, circumstances, and limitations on the table.

While I argue that a balance is possible, there is a counterargument that proposes that the Patriot Act should be repealed and states you can have one or the other: civil liberties or a secure state. Basing their conclusions on a quote by political philosopher and founding fathers, Benjamin Franklin (1742), “Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety,” there is a claim that our first and fourth Amendment rights are at risk (Robinson 2007). While the easy answer would be to completely abolish this Act, we must take into account the realities two central realities: state’s function and a new world arena. First, according to the World Bank, a state’s minimum function and responsibility is to provide pure public goods, which national security falls under. If part of our national security is dependent on information and data that comes through Patriot Act tactics, then it is the state’s responsibility to continue what it is doing. Secondly, a new world arena introduces unconventional, completely asymmetric forms of warfare. During times of crises, it is argued that intelligence and military are key responses. The role of intelligence is significant as it serves as the “first line of defense against terrorists and the threat posed by hostile states,” (Bush 2002, 29). Our position as an international hegemony in the new world arena dictates that national security cannot be ignored as it is vital in maintaining our country’s arena for democracy and peace, yet our roots dictate that we cannot choose national security over our rights. For these reasons, compromise is vital to reconcile the imbalance between our values and our security.

Striking that balance between intrusive intelligence capabilities and upholding our democratic values by doing so is an incredibly significant issue, one with negative implications if not dealt with in the near future. According to a survey done by Wadsworth Public, 74% of those who took the poll believe that the “Patriot Act violates individual rights,” (Robinson 2007). This is a significant result, which states widespread public dissent to this Act. This public dissent potentially reveals distrust in the United States



government. Citizens are at the core of the state and have the power to deem whether a government is legitimate or not. If their pleas are ignored, it could negatively affect the state in the long run by potentially causing political instability. In relation to the Lockean Tradition (1689) of the social contract, man gives up some of his power to the government to create a social contract of physical protection and the protection of rights. If the government breaks the social contract by blatantly violating the first and fourth amendment rights through the Patriot Act, then state could potentially lose legitimacy (Robinson 2007). By establishing these prescriptions, there would be increased trust in the government in the short run, which would promote both public acceptance and stability of the government. In the long run, through these provisions and prescriptions, the government would function as the founding fathers meant it to run – all equal branches that check and balance each other's power, decreasing the chance of corruption and abuse in office.

As a tool itself, the Patriot Act is vital for our national security as “U.S. defense strategy and doctrine are increasingly dependent upon information and decision superiority,” (Shelton 2001). Intelligence capabilities are the preamble to military action and the key to understanding any imminent uprising threats both domestically and internationally. With the threat of domestic terrorism on the rise, as former attorney general John Ashcroft (2003) has said, “The Patriot Act gives us the technological tools to anticipate, adapt and outthink our terrorist enemy.” It is a crucial piece of legislation used to enhance national security and without it, there is a serious risk of a vulnerable hole in our security make up. In its original form, it has the potential to violate both our first and fourth amendment, presenting a clear imbalance between maintaining our democratic values while still ensuring national security. To reconcile this, I propose three policy propositions including: transparency, accountability, and clarification of text. The first two propositions are ones that work in conjunction to each other, because with transparency, not only will it foster semblance of public trust in the government, but it will also be used to hold the parties who use the tactics in the Patriot Act accountable. I see it as a two-step process because in order to ensure the bureaucracy is held accountable for its actions, transparency would need to be present for Congress and the Judiciary to fully evaluate and review the Patriot Act itself. The final proposition calls for reform in relation to clarification of the text itself including what the Patriot Act entails, instead of providing vague and ambiguous text, which could potentially lead to abuse of power. What this argument seeks to do is say that there is immense value in the Patriot Act itself and through reform and adhering to the proposed prescriptions, it could be possible to

strike a balance between both our democratic values and national security.

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# LATIN AMERICAN LEGISLATURES A COMPARISON

GENESIS P. TANG AND FERNANDO PATRÓN SÁNCHEZ

## ABSTRACT

The objective of this essay is to understand and analyze the reasons that have caused a divided government in Latin America by comparing and contrasting the executive and legislative powers. This has resulted in problems that include a lack of structure in their political plan, lack of transparency when it comes to the publication of information to their citizens, and debate in the way congress conducts its budget policies for themselves and their respective country. These actions have caused high levels of mistrust towards the government as well as, affecting the general welfare of the nation. The analysis also assess who has more power-executive or legislative branches. Finally a comparison and contrast of the structures of governments of 19 countries in Latin America including the United States.

## KEY WORDS

Executive, Legislative, Congress and Division of Government

## INTRODUCTION

Latin America has been heavily criticized for the failures of their respective political systems. The greatest flaws have been linked to the relationship between the executive and legislative powers. This is reflected in the serious issues now being faced in the public sector as a result of this relationship. Thus, Latin

American policies have suffered in terms of their stability and efficiency. There have been discussions about possible changes to the presidential systems. Changes that carry the hope of constructing a more institutionalized government and developing a proficient plan to better ensure a capable government that can address the needs of the nation, however, it is easier said than done. Now these broken systems are more notorious in some countries than in others. Some of these issues stem from divisions and disagreements that exist between the executive and legislative branches. A divided government is not a productive or beneficial one, and a country so governed will not prosper. This work is based on data obtained from an extent of resources that examine various characteristics of the executive and legislative powers within 19 countries in Latin America, including the United States. This research visibly demonstrates a division between the executive and legislature branches, and how this affects the performance of a country's political policies through the comparison and contrast of governmental structures within Latin America and the United States

## POLITICAL STRUCTURE AND KEY ELEMENTS OF A DIVIDED GOVERNMENT IN LATIN AMERICA

The dispute over which governmental branch has more authority, the legislative or the executive, continues to create

instability throughout Latin American governments. In 1991, while searching for a more transparent and effective affiliation between the executive and the legislative branch, Colombia approved a new constitution in order to create a more harmonious government (Mainwaring & Shugart, 2002:12). Similarly, in Brazil, since 1950, any president elected has not held the majority of seats in congress (Mainwaring & Shugart, 2002:12). As a result, from 1987 to 1988, there was an initiative to implement a new system of government in order to completely eliminate the presidential system and adopt a semi-presidential system instead. In Chile, similar policies were attempted and in 1993, Bolivia tried to establish a parliament system. However, these governmental actions were all banned (Mainwaring & Shugart, 2002:13). It seems as though, regardless of the challenges and conflicts that a presidential system brings, it is still prevalent and seen as the best way to conduct politics in Latin America (Mainwaring & Shugart, 2002).

There are factors that have contributed to the lack of agreement between the Executive and the Legislature such as the number of seats controlled by the presidential political party in Congress. This can result in conflict if the majority does not share or want to cooperate with the president political plan. More debate can ensue if the vice-president does not belong to the same political party as the president, which could result in bias against the president's plans and influence over congress. Also the legislature can become more influential due to its duration in power as it shows in table 1 where the predominant term limit its between 4 and five years, and in cases such as Brazil and Chile the senate term is for eight years. Also it reflects the ability of the legislature to last in power longer since congress is eligible for reelection except for Costa Rica and Mexico\*. Similarly, having a bicameral legislature will more likely reinforce their expenditure policies over the executive branch. In short, it can be alleged that legislature wants to reinforce their authority lost in previous times and, as a consequence, try to enact their policies over the president's (Lienert, 2005).

There are other questions that arise when considering governmental structure such as which branch has more influence over the budget. In Latin America there is a high degree of control by the legislature over the executive as we see restrictions on the executive to explicitly execute the budget. As an example, in the United States, the House of Representatives and the Senate have the power to annul the annual budget draft presented by the president. In other words, in presidential systems there is a high propensity to see economic policies implemented by the legislature rather than the executive, or to hear the objections that the legislative presents to the president's proposal (Lienert, 2005).

Until today, the United States is the only country that has incorporated a medium-term macro-fiscal plan to improve the

budget plan and come to an agreement between the executive and legislature. This is a great example of government coming to a mutual arrangement to benefit the country and not just those working within it. On the down side, this process can be quite long since it has to go through debate. In the U.S., the budget draft must be presented eight months before the fiscal year starts (Lienert, 2005).

There are laws that can be implemented to form a Budget Office at the Legislature. This would allow the legislature to gain professional experience from experts to adopt the most beneficial budget plan for the country. This technique is valuable because it reinforces the best outcome, since other strategies implemented by the executive can be analyzed in order to identify and implement the most efficient for the nation. In Latin America, only México has incorporated a Congressional Budget Office (CBO) such as the one by the United States. Yet, there are some constitutions that have constraints on the legislature, México keeps limitations on the legislative branch when it comes to influential powers over the budget (Lienert, 2005).

On the other hand, there are powers that are given to the president that the legislature lacks. Constitutions of Latin America have a position more inclined to presidents, at least when it comes to decree-laws, initiatives, and the exercise state of emergency powers. 90 percent of the presidential systems permit the executive to introduce constitutional amendments and close to 50 percent allowed the presidents to present the first draft of the budget (Cheibub, Elkins & Ginsburg 2011:1726). Nonetheless, Latin American constitutions have created relatively strong legislatures to intervene and adjust the executive policies. For instance, we see how in the majority of constitutions the approval of the legislature is required for a decree before it can be formally executed. (Cheibub, Elkins & Ginsburg 2011). Similarly, in table 1 it demonstrates how the executive in all these countries have the power to approve the state of emergency, but cannot explicitly legislate without the consent of the legislature.

Likewise, Chile and Argentina are countries where the presidents are quite powerful in constitutional terms, and their parties generally control a significant proportion of the seats in congress. Brazilian, Colombian and Ecuadorian presidents are powerful in constitutional terms as well, but their parties carry little weight in their respective congress. Therefore, there are conflicts when creating policies. In Honduras and Paraguay the opposite occurs, where the presidents are usually weak in constitutional powers, while strong in the number of seats their parties hold in congress. In Bolivia the presidents are usually weak in terms of legislation and the number of parties supported by congress (Stein, Tommasi, Echebarria, Lora & Payne, 2006). It

is important to highlight that women participation in Congress is low as show in table 1 where Brazil and Panama reported the lowest levels at around 9 percent. On the other hand, Argentina and Bolivia have more participation of women between 38 and 33 percent respectively; nonetheless, the overall contribution is not very significant.

A policy plan by the government may be very well planned by experts and go through a legislative deliberation and other processes, yet this does not imply that the reform will be a success if the resources are not used in an effective way. Unfortunately, this has been the case of many countries in Latin America where there is low performance in the effectiveness of their political policies. Both Chile's and the United States' performance is high. Guatemala and Paraguay are among the countries with the worst record of performance when it comes to putting policies into effect. Some of the factors that contribute to the effectiveness of political policies are; the organization and structure of congress, party system, electoral system, term limits and reelections. Countries that count on cooperation will easily develop more stable policies that can be better coordinated and therefore, more successful. (Scartascini, Stein, & Tommasi, 2008).

Adopting good policies and working together can make a significant difference in a government. While some countries can implement and enforce effective policies passed by the legislature or the executive branch, in other countries the quality and effectiveness of implementation may differ extensively. This is due to the government's lack of structure. Even if the country wants to adapt a new system, the process can be a challenge and might take too long to see a significant change. As a result, just as there are countries that can adopt plans issued by the legislature or the executive branch, there are others that lack this commitment of, or efficiency in working together. As a consequence, these governments keep their old policies for long periods of time, preventing them from reaching the ultimate goal of improving the country (Stein, Tommasi, Echebarria, Lora & Payne, 2006).

On the other hand, there are other elements that play a big role in creating a functional government structure. For instance, governments that have more players with veto powers will play a more prominent role in selecting the laws that are proposed, but at the same time these governments will struggle to come up with laws and regulations since they will encounter constant debate. Scholars have voiced concern about the ability of presidents to govern in a divided government, in other words, when the president does not control the legislature. A perfect example is when the elected president has the majority in congress; this will facilitate his administration to carry out his political policies. Since this is not the case in every election of every country, there is the

implementation of coalitions that are used to acquire support from other parties, in order for the legislature to work with the executive objectives. Likewise, in countries such as Brazil and Argentina there is a substantial degree of undisciplined legislature, therefore cooperation may be challenging to obtain and the president might look to coalitions for assistance. In some cases the coalition may offer incentives to congress. (Stein, Tommasi, Echebarria, Lora & Payne, 2006)

The incentives can include rewards, such as appointment to a higher rank, local investment projects, and changes in any policy that would benefit the jurisdiction of the legislator or support for their party. This might not sound ethical, yet it is useful for the president in order to achieve their goal in a divided government. Even though it may sound great in theory, it has not worked well for all countries. For instance, the Ecuadorian coalitions that have been established have not led to the president's development of a stable legislative support. That is, in many cases these coalitions do not guarantee the support. On the other hand, Chile has a system of strong and stable coalitions that function as long as there is a strong relationship and mutual agreement on the needs and wants of the legislature and the executive branches. (Stein, Tommasi, Echebarria, Lora & Payne, 2006).

On the other hand, Brazil, Colombia, Ecuador, and Bolivia, contrary political parties to the president have not been significant in congress. In other words, there are more than two main parties controlling the congress. In contrast, Chile, Honduras, and Nicaragua are known to have two main political parties that control congress. In countries such as Chile, Nicaragua, Paraguay, and Honduras, the political party of the president has generally obtained the majority seat in the legislature. Yet, statistics obtained from 18 countries in Latin America concluded that from 1990 to 2014 only 20 percent of the presidents had majority in congress. (Stein, Tommasi, Echebarria, Lora & Payne, 2006: 40). Similarly, other elements can be attributed to the lack of harmony between the two branches such as: confidence in the congress, average efficiency of the legislative bodies, average experience of legislators, and percentage of legislators with university degrees. Under these components Argentina, Dominican Republic, Guatemala, Honduras, and Peru scored at the lowest level. On the other hand Brazil, Chile, Colombia, and Uruguay are located in the upper levels. (Stein, Tommasi, Echebarria, Lora & Payne, 2006).

Other factors that cause a division of political interest is the fact that the president usually looks out for the interest of the nation as a whole, while the legislature primarily looks out for what would benefit their jurisdiction. Therefore, given that presidents are elected by citizens of the nation, they tend to lean more towards the interests related to the national public than the legislative

branch. However, there are still presidents and legislatures that have other incentives rather than the welfare of the general public. When there is mutual agreement and interest between the congress and the executive about what has to be accomplished, it is more likely they will work together to invest in local projects that would benefit those communities as is the case in Brazil. (Stein, Tommasi, Echebarria, Lora & Payne, 2006).

The political upheaval that Latin America has faced for the last century has now been discovered to be a result of constant criticism in the media showing civic protests against the government on a diversity of issues such as low approval of laws that were not intended for the public interest. This has resulted in a lack of trust in political authority, and a decrease in the participation of citizens in matters of public interest. This has resulted in a lack of trust in political authority, and a decrease in the participation of citizens in matters of public interest. Citizens feel betrayed and let down by the government where they put their votes, in the hope that their current situation will improve. In extreme cases, citizens are unaware of the representatives that have been elected to Congress. All these actions have caused a negative impact on society and how the people view their government. In short, these findings demonstrate that, year after year, people living in Latin America tend to negatively evaluate the Legislature and the Judiciary, resulting in high levels of mistrust in the congress (Índice Latinoamericano de Transparencia Legislativa, 2014.).

In regards to Latin American legislative powers, there is still a lot to debate. The Latin-American legislative transparency index has as an objective, to analyze relevant information on the legislative powers and to monitor their tasks as a way of ensuring or revealing their transparency to their citizens by allowing them access to this important information. Each country of Latin America has one of these institutions specializing particularly in the supervision of the legislative powers, as well as those of other organizations. The transparency of the legislative power in Latin America still needs improvement especially considering that there is still a great deal of data that has not yet been published (Índice Latinoamericano de Transparencia Legislativa, 2014.).

Reports have shown that when it comes to how the legislative branch conducts their work in Argentina, Chile, Colombia, México, and Peru, there is an evident lack of publicity with regards to their ongoing activities within and outside of Congress. Some of the examples are ways in which congress denies information that would allow citizens to understand the agreements of their Commissions, how they conduct votes, as well as their proposed laws. As a consequence, Colombia ranked at the top when it comes to public records, followed by Chile, Peru, Argentina and México (Índice Latinoamericano de Transparencia Legislativa, 2014.).

When it comes to the publication of the travel expenses of the legislature in and out of the country, there is once again a lack of transparency. Some of the countries that have no regulation of their travel expenses are Colombia and Peru. This means that the number of trips legislative members have made, their purposes, and if they made any achievements as a result of it, is unknown. On the other hand, in Argentina, Chile, and México, although there is regulation, the report of the purpose of the trip, the objectives, and achieved goals are not clearly stipulated. Similarly, when it comes to the publishing of the congressional budget expenditures, there is a polarity on the results since it is weak in Colombia and Argentina, while in Chile, Peru and México it is much stronger. Even though all countries have public offices of attention, this does not necessarily imply that the information provided to their citizens is sufficient and clear. (Índice Latinoamericano de Transparencia Legislativa, 2014.)

When it comes to the budget and administrative aspects of congress in Argentina, Chile, Colombia, Mexico and Peru, their annual budgets are planned, approved and published in a timely manner. However, in most cases there is no mention of the budgetary criteria designed for the establishment of the amounts that are assigned to the Representatives and Senates. In other words, there are delays of the information when it comes to the use and destination of the disbursements, resulting in the information of their expenditure to be incomplete. Similarly, knowing the exact number of people working in Congress or their functions can be unknown. At the same time, there are audits that are performed to track the performances of Congress which implement rules and sanctions. Although these countries count with audits, most countries audits' lack control and sanction. Yet, the use of audits has become increasingly more frequent. However, the results are not made public even when the sanctions have been implemented and carried out accordingly. In short, even though every country count on available websites to disclose congress information, a lot of the informations is still confined. (Índice Latinoamericano de Transparencia Legislativa, 2014.)

## CONCLUSION

Presidential systems have been a structure of government that has prevails around the globe. People can argue that this is due to the best way it balances the powers; however in some cases it can play an interesting dynamic. Latin America has been characterized for adopting a strong presidential system of government that has remained resilient over other types of governmental system throughout times. One of the things that stand out of this structure

is the relatively strong legislatures that have caused a division of authority from the executive, resulting in poor policy performance and outcomes. Citizens now demand a more transparent and compromise government that can work together for a betterment of the nation. It is vital to highlight that there is not a perfect policy or structure of government that must be followed since every country needs to adopt the most convenient and effective plans to better develop their country. Most importantly, at the end it is important that the drive of politicians is to serve the country and not themselves.

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## APENDIX

TABLE 1. COMPARISON COUNTRIES BY THEIR GOVERNMENT STRUCTURE

No	Country	Structure	No. Members		Team Limit (years)			L.R.	% Gender	Emergency Powers
			Senate	Deputies	Executive	Senate	Deputies			
1	Argentina	Bicameral	72	257	4	6	4	Yes	38.51	Yes, but can't openly legislate
2	Bolivia	Bicameral	36	130	5	5	5	No	33.67	Yes, but can't openly legislate
3	Brazil	Bicameral	81	513	4	8	4	Yes	10.1	Yes, but can't openly legislate
4	Chile	Bicameral	38	120	4	8	4	Yes	13.67	Yes, but can't openly legislate
5	Colombia	Bicameral	102	165	4	4	4	No	13.98	Yes
6	Costa Rica	Unicameral	-	57	4	-	4	Yes, Non Consecutive	38.6	Yes, but can't openly legislate
7	Dominican Rep.	Bicameral	31	183	4	4	4	Yes	16.63	Yes, but can't openly legislate
8	Ecuador	Unicameral	-	124	4	-	4	Yes	30.82	Yes, but can't openly legislate
9	El Salvador	Unicameral	-	84	5	-	3	Yes	28.57	Yes, but can't openly legislate
10	Guatemala	Unicameral	-	158	4	-	4	Yes	13.29	Yes, but can't openly legislate
11	Honduras	Unicameral	-	128	4	-	4	Yes	19.53	Yes, but can't openly legislate
12	Mexico	Bicameral	128	500	6	6	3	Yes, Non Consecutive*	25.23	Yes
13	Nicaragua	Unicameral	-	92	5	-	5	Yes	20.65	Yes, but can't openly legislate
14	Panama	Unicameral	-	71	5	-	5	Yes	8.45	Yes, but can't openly legislate
15	Paraguay	Bicameral	45	80	5	-	5	Yes	14.03	Yes, but can't openly legislate
16	Peru	Unicameral	-	130	5	-	5	Yes	21.55	Yes, but can't openly legislate
17	Uruguay	Bicameral	31	99	5	5	5	Yes	13.02	Yes, but can't openly legislate
18	U.S.A	Bicameral	100	435	4	6	2	Yes	17.25	Yes, but can't openly legislate
19	Venezuela	Unicameral	-	165	6	-	5	Yes	15.75	Yes, but can't openly legislate

Data obtained from Wright(2014) and Elección, reelcción y renuncia dal mandato (n.d.)

L.R. refere to Legislative Reelection

\*Until 2015

# THE CUBAN EMBARGO – ORIGINS, STATE, AND FUTURE

AMIR TEROVIC

*“Our Cuba Policy Is Our Berlin Wall, And It’s Starting To Crumble”*

— Sarah Stephens

The contradictory nature of relations between the United States and Cuba has become increasingly apparent in recent years. Each side has cited the shortcomings of the other as a basis for hostilities. Following the arguments is akin to a rabbit hole; there is no end to the circular logic surrounding them, only offshoots that dig deeper. A recent détente has emerged however because, at least for the U.S., the benefits of maintaining hostilities is deteriorating. These benefits include the political value of Cuban-Americans in Florida, upholding “American values”, the protest of “stolen” American land, opposition to a communist/socialist political structure, and criticism of a “dictator”. The rationale for “quoting” so many of these justifications is that they are debatable at best. On the Cuban side of this coin, the conflict allows for an impeccable political scapegoat. Regardless of the situation, the Castros can blame the American embargo for any shortcomings in the economy. People are in poverty? “Supplies can’t get through because of the embargo.” Furthermore it allows for the idea of the Cuban Revolution to live on because there is constantly a symbol to unite against. Without the dilapidated embargo and rocky relations, the focal point of Cuba’s political propaganda would have fallen through years ago. Instead, the Castros have a crutch to lean on in any situation

## A NEW WORLD

Geopolitics demands that Cuba be an important part of American foreign policy. Since the infancy of the United States, American presidents have been perturbed by the island. Just as he had made the Louisiana Purchase, President Jefferson also attempted to buy Cuba from Spain out of fear of it falling into the hands of the British or French.<sup>1</sup> His fears were confirmed, albeit after his presidency, when the English used Cuban ports as a launching ground to attack the U.S. mainland.<sup>2</sup> Although there were several more attempts to annex the island, the question of a Cuban policy was not truly addressed again until the Spanish-American War. The Cubans had already been fighting the Spanish for four years by the time the U.S. joined the conflict in 1898. At the conclusion of hostilities, the U.S. continued to occupy the island for four more years. During this time there was a realization that the moral high ground of occupying a defeated enemy did not exist here.<sup>3</sup> The eventual withdrawal had several conditions, as stipulated in the Platt amendment; included in this was the agreement for leasing Guantanamo Bay for use as a naval base. It is imperative to note that Article III of the Platt Amendment stated that the U.S. would have the right to intervene in Cuban affairs if ever it deemed that it was necessary to “preserve Cuban



independence”.<sup>4</sup> It was from these stipulations that a lasting Cuban resentment against the U.S evolved.

This new type of foreign policy can be directly linked to Theodore Roosevelt’s Big Stick diplomacy. What followed was a series of interventions across Latin America that would continue up until Franklin D. Roosevelt’s Good Neighbor policy in 1933. It was at this point that the Platt Amendment was finally repealed and interventionism halted.<sup>5</sup> Despite this, many private American investors, such as the United Fruit Company, remained standing in numerous countries across Latin America.<sup>6</sup> Cuba was no exception to this, drawing a great deal of attention due to its thriving sugar crop. A lull settled over the Latin American countries as the U.S. entered World War II and attention was shifted to another part of the world. During this time the percentage of harvest that was American owned in Cuba went from the initial 70% in 1928 to 56% and dropping more as the years went on – all the way to the 35% in 1958 – the year before Fidel Castro assumed his position as head of state.<sup>7</sup> In the aftermath of WWII, to those that kept a longing eye on all the profit that could be had, a new excuse was needed to bring about a new policy of interventionism in the Western Hemisphere. This came in the form of a perfect scapegoat: communism.

When it comes to political scapegoating, the best thing to use is an ideology, for the simple reason that it is extremely difficult to pinpoint its source. Who can truly be labeled as communists? Poor farmers sharing crops with their neighbor or the government official preaching equality while sitting on the lap of luxury? Furthermore, an ideology can be loosely defined. In the U.S., public aid is construed as a system to ensure the wellbeing of those in the lower class and to help them pull themselves up so they can climb the social ladder; in other words it is an instrument of capitalism. On the other hand, in a country such as Guatemala, public aid that gave land to peasant farmers so that they could grow their own food was seen as an attempt to give communism a foothold in Latin America, mainly because the land that was given to the farmers was nationalized land formerly owned by the United Fruit Company which was based out of New Orleans, Louisiana.<sup>8</sup> Cuba itself was no exception to this exploitation. All this is to say that interventionism took on a new face under the new anti-communist sentiment. It allowed for the manipulation, often through force, of states all over Latin America with the underlying purpose being profit. Comparing all of the anti-communism conflicts the U.S. has been in to when the last war was declared (World War II) also shows that this also meant that use of force was rather easily authorized.

## SETTING THE STAGE

By the time Fidel Castro rose to power in 1959, diplomatic relations had already started to become tense between the U.S. and Cuba. His nationalization of private land and businesses – via legislation such as the Agrarian Reform Law – that were owned by U.S. citizens/corporations, relationships with those aligned with the far left (Ernesto “Che” Guevara in particular), and the American hostage situation during the revolution (brought about by his brother Raul) only served to place a wedge between the two nations. Interestingly enough, hostilities did not begin immediately.<sup>9</sup> Economically, Cuba was devastated following the revolution. Castro attempted to enlist U.S. aid during a political visit to Washington but President Eisenhower famously refused to meet with him.

When it comes to Castro-era Cuba, the question isn’t if U.S. foreign policy failed, but rather how it failed. Prior to his rise to power, Castro was not actually a Communist. Understandably, he leaned to the left as a result of experiences with poverty in his upbringing and travels. One piece of evidence to support Castro’s initial lack of adherence to communism is his absence from the Cuban Communist Party.<sup>10</sup> He belonged to not one, but two parties which were anti-Communist in nature.<sup>11</sup> In an English broadcast, he explicitly stated “Not Communism or Marxism is our idea, but representative democracy and social justice in a well-planned economy”.<sup>12</sup> However, it was the mutual distrust between both Castro and Eisenhower that would serve as a prelude to a precarious relationship. Castro’s distaste for the U.S., stemming from previous interactionism and Eisenhower’s own obsessive fear of “Red” eventually shepherded Cuba into the arms of the Soviet Union. Immediately following Castro’s “failed” visit to Washington, Soviet politicians were sent to Cuba to investigate the ideological state of the nation. It was from this point that the Kremlin kept a skeptical eye on the proceedings, almost convinced that it would not attain a foothold in the Western Hemisphere. The year 1960 brought with it a quickly changing political landscape as Castro looked beyond the U.S. for new strategies through which to keep the Cuban economy afloat, eventually finding one in the Soviets.

By February 5, 1960, trade relations officially began as an order for approximately 345,000 tons of sugar was made by the Soviets.<sup>13</sup> As the U.S. slowly brought its own purchases to a grinding halt, the rest of the Socialist bloc quickly followed suit, swallowing up all Cuban sugar sales.<sup>14</sup> The infamous Cuban embargo finally dawned on October 19, 1960 in its infant form.<sup>15</sup> It would quickly gain steam as it grew to encompass virtually all trade. The turbulent terms on which the U.S. and Cuba had begun to interact on outlasted Eisenhower and were inherited by the Kennedy

administration. In some ways, much of the turmoil that began under Eisenhower was only truly manifested under President Kennedy. Coming into office, Kennedy had all these issues, proverbially, dumped in his lap. The result of this was several approaches that were simply not appropriate to the situation as exemplified by the colossal failure of the Bay of Pigs invasion on April 17, 1961. The invasion force itself consisted of CIA-trained Cuban counter-revolutionary exiles<sup>16</sup>. Quite a few blunders occurred in this operation, two of which were the bombing of a Cuban airfield several days before, thereby tipping the Cubans off that something was going to happen and then the actual selection of the Bay of Pigs as the point of incursion - a location that Fidel Castro was intimately familiar with having fished there several times. The result of all this was a complete repulsion of the U.S. backed forces.

The fiasco at the Bay of Pigs can be seen as the beginning of the modern day situation. Soon thereafter the Cuban Missile Crisis occurred and both propaganda and the Cold War were in full swing with the American “Defensive missiles” in Turkey and Soviet “Offensive Missiles” in Cuba.<sup>17</sup> Cuba was seen, from a Soviet perspective, as both an opportunity for a foothold in the West and a point of “personal” pride (by helping it survive capitalists). With relations soured on nearly all levels with the U.S., Castro saw fit to go “all in” on the Soviet bet and on December 2, 1961 declared himself a Marxist-Leninist [Communist] and the Cuban revolution a socialist and anti-imperialist one.<sup>18</sup> In reality, this can be seen as the most important play of Castro’s political career. Without the support of a superpower, Cuba would not have been able to weather the storm that its opposition brewed. Fumbling with these developments, the U.S. had Cuba banned from the Organization of American States in January 1962 via a nearly unanimous declaration that Marxist-Leninism (communism) is not compatible with the inter-American system<sup>19</sup> and in the same stride expanded the embargo to ban virtually all imports in February of the same year.<sup>20</sup>

It is here that this story moves away from being a history lesson and begins molding into the conundrum that exists today. From a timeline perspective, the conflict with the Soviets ended over twenty years ago, yet remnants still exist. The Berlin Wall and the embargo can be juxtaposed as equal representations of the Cold War. While the Berlin Wall cut off West Berlin from the surrounding Soviet controlled East Germany leaving it as a metaphorical island in a sea of Red, the embargo cut off the island of Cuba from the means of traversing its own seas. Both “big powers” imposed restrictions that the “small powers” would then have to endure. The difference is that though the Berlin Wall was taken down, bringing with it Soviet dissolution, the embargo remains a vestige of the conflict.

## RATIONALE

The heart of the pro-embargo argument is that it puts economic pressure on the Cuban government and this, in turn, will help the opposition edge out the communist regime in favour of democracy. In this sense, the embargo is failing. More than anything else, the Castro regime has always had the opportunity to fall back on blaming the embargo for any and all problems in Cuba. Food shortage? “Embargo’s fault”. Poverty? “Embargo’s fault”. This tactic has proven extremely effective as the Castros maintain power over five decades later. Moving forward after the Cold War, the idea of tightening the embargo even further to take advantage of a Cuba without Soviet backing was implemented via the Torricelli (1992) and the Helms-Burton (1996) Acts.<sup>21</sup> With these two Acts, the embargo was expanded extraterritorially to even include subsidiaries of U.S. companies in other countries in the ban on trading with Cuba.<sup>22</sup> In regards to pushing towards democracy, this only fueled the problem as Cuba had actually been forced to venture into the rest of the capitalist world following the collapse of the Soviet Union. With the introduction of these Acts, this venture was only complicated and the “democratization” process was, in actuality, hindered.<sup>23</sup> Keeping all this in mind, the most important effect of these Acts is that they officially made the embargo a part of American law whereas before it stemmed from Presidential action.

Seeing the extensive failure of such a policy brings forth a question: Why? This question has a multipronged answer based in the political value of Cuban-Americans in Florida, the self-imposed American image of being democracy’s biggest emissary, and not wanting to go back on declarations that conditions in Cuba are in a horrendous state.

Though it cannot be said that Cuban-Americans completely dictate Cuban relations, they certainly have an impact – particularly in decisions directly related to the Castros. This stems from their origins. The majority of the Cuban-Americans being discussed fled Cuba when Fidel Castro took over, fearing political consequences due to their wealth or government related roles (or often both). An example of this value would do better than simply alluding to it; when George W. Bush (Republican) ran against Al Gore (Democrat), Bush won the vote in Florida by a margin of a few hundred votes and thereby won the election. Compare this number to the approximate 833,000 Cuban-Americans living in Florida at the time, those votes meant the difference between winning and losing.<sup>24</sup> Juxtaposing this with the fact that Democrats were losing Cuban votes due to not being as hardline when it came to Cuba, the value of keeping these votes only seem to increase in value.

When it comes to the U.S. image, it certainly would not be seemly if after five decades a communist nation would be able to step away from democracy despite enormous pressure. This is also tied to the continuous stream of political allegations from both sides. Fidel Castro has spewed a profuse amount of anti-American rhetoric over the years, citing U.S. intervention as cause for strife both in the Western Hemisphere and further abroad, and has aligned himself with other world leaders who spoke out against the U.S. – such as Venezuela’s Hugo Chavez and former Iranian President Ahmadinejad.<sup>25</sup> On the other side of the coin, the U.S. calls out Cuba’s human rights record and poor living conditions as reason for avoiding détente.<sup>26</sup> Another reason is Castro’s efforts in spreading the Cuban revolution and arming rebels in both Latin America and Africa, which have actually earned Cuba a spot on the U.S.’s list of State Sponsors of Terrorism.

The rationale for maintaining the embargo are certainly sound except for one major problem: they are now outdated. As far as the political value of Cuban-Americans goes, anti-Castro-ism is becoming less and less an instrument through which to gain their vote.<sup>27</sup> This stems from three reasons. First, only the older generation really has a recollection of the time before the Castros and has a loathing towards them and their regime. The newer generation is simply carrying some second-hand hatred (if any) and in general, it really isn’t of their concern.<sup>28</sup> Recent statistics show that Democrats, President Obama in particular, have been gaining ground with Cuban-Americans and actually winning majority votes.<sup>29</sup> Second, there is a constant influx of new Cuban immigrants and overwhelmingly their problem isn’t with Castro but rather the economy.<sup>30</sup> As a result, it is no longer logical to hold on to a policy that is increasingly extraneous to Cuban-Americans as a whole. Lastly, and perhaps most importantly, is the fact that the Castros are well on their way out the door. Fidel Castro has already passed on the reins to his brother Raul Castro due health reasons and Raul himself is in his 80s. It will no longer make sense to be anti-Castro if there is no Castro to oppose.

The embargo has actually become counter-productive to the U.S. image. An easy measure of the world’s view on the embargo is how it does when put to the vote in the United Nations General Assembly of. In 2014, the General Assembly unanimously, aside from the U.S. and Israel, voted to demand an end to the embargo – for the twenty-third consecutive time.<sup>31</sup> This is sufficient to show that, at least in the field of international politics, U.S. image suffers due to the embargo. An uncompromising policy against a communist nation is anachronistic as well as contradictory considering one of the U.S.’s largest trading partners is a communist nation – China. It is illogical to proclaim that allowing trade from one communist nation is against American values

whilst taking products from another because it is more convenient/profitable. Furthermore, China can be compared to U.S. ally Saudi Arabia on the topic of human rights.<sup>32</sup> Both have had gross human rights violations over the years and yet relations remain friendly. Also, these violations have been, on a general basis, more recent than those in Cuba.

Interestingly enough, conditions have statistically grown better under the Castro regime. Literacy rates in Cuba are actually higher than in the U.S. at present: 99.8% versus 99%, whereas it was 76% in 1953<sup>33,34</sup>, and the infant mortality rate dropped from 32 deaths per 1000 live births pre-Castro to 9 per 1000 by the year 2000: a 71.9% drop.<sup>35</sup> This correlates to the fact that, despite the difficulty of importing medical supplies due to the embargo, Cuba has, according to statistics from the World Bank in 2012, 67.2 doctors per 10,000 people – the second highest percentage in the world and more than twice that of the U.S.<sup>36</sup>

## A NEW ERA

Recent events have reflected that slowly but surely the situation is changing. President Obama has ushered in a new era of Cuban-U.S. relations. In late 2014, 50 years after the severance of relations, he declared that relations would be normalized. Highlighting the differences between himself and his brother, Raul Castro, in turn, stated that though there were still issues between the two nations to be resolved, differences could be settled. It is apparent that though Raul is aware that politically he cannot deviate too far from his brother, he is still willing to move in new directions.<sup>37</sup> Evidence of this is that he loosened restrictions on mobile phone use, internet, and foreign travel. The two presidents actually greeted each other and shook hands at the funeral of South Africa’s Nelson Mandela. A more concrete symbol of détente manifested itself in a prisoner swap. In January 2015 Cuba released the last of its 53 political prisoners.<sup>38</sup>

This still doesn’t necessarily signal an end but rather an unraveling. There are still multiple obstacles getting in the way. One is the fact that President Obama no longer has the power to end the embargo. As a consequence of the Torricelli and Helms-Burton Act, now only Congress has the power to end the embargo. Taking into consideration the state of Congress at the moment the exercise of this power seems highly unlikely. John Boehner and Marco Rubio are two players, amongst others, in this game that are important to consider. John Boehner is the Speaker of the House of the Representatives and wields a significant amount of influence – particularly over the other members of the Republican Party. He has expressed that the subject of the embargo’s conclusion

should not be touched upon until Cubans are “free”.<sup>39</sup> Marco Rubio, Republican senator from Florida, is a Cuban-American born to Cuban exiles in Miami.<sup>40</sup> He has been particularly vocal on the topic of the embargo, declaring that “The White House conceded everything” in press conference after President Obama announced plans for détente.<sup>41</sup> Rubio has further vowed to block any nominations U.S. ambassadors to Cuba as well as stop any money for building an embassy in Havana. With his appointment to the position of Chairman of the Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues, Rubio has a significant amount of influence. This is especially true considering the Subcommittee deals with matters concerning U.S. relations with Cuba.

## CONCLUSION

In the era of 24-hour news, it is easy to fall into sensationalism. There seems to be a constant need to make a mountain out of a molehill. This ties in to the splintering of the public into groups with varying levels in political interest. Major network evening news broadcasts are still the largest news source for the majority of Americans, with those with higher interest levels moving towards specialized sources of information such as radio talk shows centered on political information.<sup>42</sup> A major problem here is that reporting practices have changed over the years and so has public view of them. Broadcasts are increasingly polarized to grab the attention of an audience that has a progressively shorter attention span. What this has done is brought attention to all the negatives in this situation as opposed to looking at the embargo as a whole. There is a persistent need to find a scandal or some horrendous event to report on in order to hold on to a viewer as long as possible. And with the sheer amount of broadcasts, these reports are, once again, sensationalized beyond what they actually are to achieve this effect.

Compare this with the situation in Cuba and it becomes apparent that it too has fallen prey to this. It seems impossible for a middle ground to be found. Throughout the course of the embargo, Presidents have also become polarized as they have to cater to a politically disengaged population. If the general public repeatedly hears that Cuba and its government epitomize the repression of a peoples, they will be inclined to side with the candidate that represents an opposition to such a regime.

To combat this, revaluations are necessary. With or without U.S. policy adjustment, Cuba will expand onto the global

playground. It is only a question of how long. Foreign nations have already reopened their own doors and increased investments in Cuba’s infrastructure, resort tourism, and purchase of products. Cuba’s Cold War debt has also been all but wiped away by President Vladimir Putin in a move meant to rekindle relations.<sup>43</sup> The simple fact of the matter is that the blockade is beginning to enter a stage of irrelevance. Looking at this, as well as the fact that both Fidel and Raul Castro are near death, the main reasons for maintaining an embargo are disappearing one by one. As it currently stands, the embargo is a shell of its former self, bringing far less benefits than costs – as much as 1.2 billion dollars annually as estimated by the U.S. International Trade Commission.<sup>44</sup>

Though President Obama has made enormous leaps to improve relations, a long and arduous path lays ahead. A republican dominated House will prove difficult to overcome. Also, much hinges on the election of 2016 and the stance of the succeeding president. Regardless of this however, public opinion has been shifting; a majority of both the general public and even the Cuban-Americans now oppose the embargo.<sup>45,46</sup>

A countdown has started on the Cuban embargo and the next few years will see it out the door.

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# THE FLUCTUATION OF EU PERCEPTION IN CEE COUNTRIES

CHRISTOPHER CHANCE ZGRAGGEN

Ever since the early 90s, countries in Central Eastern Europe (CEE) have tried to make a transition from communism to democracies. This transition is not an easy one and takes a lot of different implementations of policies. Many of these policies such as liberalizing markets and increasing direct foreign investments, for example, are pre requisites for entry into the European Union. There is a substantial amount of research done about Economic performances of new EU members in CEE countries and there is also data that shows support for EU membership in the same countries. This paper aims to address the support of EU membership and why support seems to fluctuate over time.

It is relevant to CEE countries because with EU integration and democratization because public opinion, which allows people to voice their pleasure and displeasure with key political issues, is now measurable whereas in the communist regimes before it was not. One of these issues is joining the EU, which is something that ten CEE countries have already done. While we have a substantial amount of data that serves as indicators of public opinion in CEE countries, there is little explanation why they feel the way they do. What are the factors that shape public opinion and why, if it does at all, fluctuate over time?

It is known that during initial phases of integration that countries must withstand a backslide in Economic performance in CEE countries because that is one early effect of the reforms, but that is only for a short period of time, after which they begin to recover and later on, flourish. Even though these Economic

systems are growing they still are part of the world economy and fall prey to events such as recessions. My hypothesis is that the general support for EU membership among citizens of EU member states in central Eastern Europe is predicated on the Economic performance of each individual state. I postulate that one of the main reasons that citizens support the EU is based on how it affects them in their daily lives, particularly economically. Other research helps us answer questions like who are the people that benefit from integration, why is public opinion so important, and what are the general benefits for the countries as a whole?

When discussing public support for EU membership one main factor is which citizens are winners and losers when it comes to integration. Doyle and Fidrmuc discuss the public opinion of prospective EU countries and reasons why they tend to be in favor of integration. In general when a referendum is held, citizens will be in favor of joining the EU if they feel like their country will improve economically due to integration. Citizens also want to reap the benefits that come with EU membership like being part of the European Single Member Market which allows free movement of goods and services across the borders of other EU nations. However with free movement also come winners and losers. The winners traditionally are the younger and educated portion of the population, and the losers are the older blue collar workers. The young educated citizens benefit economically because with free movement across borders they can work in other countries that have a larger skilled labor sector. The older blue collar workers suffer economically because they are now in a larger market with

more competition and are not quite as competitive. The reason that these winners and losers are important is because it traditionally shows that their personal economic status will dictate whether or not they support EU membership.

One common factor that we have seen among the CEE-10 is that they see a significant amount of Economic growth upon entering the EU. Rapacki and Prochniak suggest that economies as a whole tend to improve under the reforms set by the EU and integration. This is important because it explains how a country grows economically over time but it does not address the question that we have, and that is the fluctuation of public opinion over time. On the whole these countries are doing much better so we should expect that public support for EU membership would continue to rise because of an increase in economic performance. While this is a logical assumption it is not always true. Ethin describes how public opinion is not always logical. She says, "Public attitudes toward the EU tend to be relatively uninformed and underdeveloped." She also talks about how in general people are unsure about how the EU will affect them personally and how it will affect the national economy. This is relevant to my research because I will look at actual CEE EU members, not prospective candidates like Ethin. I then hope to explain some of the reasoning behind public support and even though people are generally uninformed, there still is some logic behind their support.

Before joining the EU people generally are supportive based on whether or not they feel as if they will be better off personally after they become members. The Caplanova article also addresses the winners and losers to a small degree but really talks about what are the factors that make up a person's perception of the EU. She says, "This suggests that attitudes to the EU will be determined by a combination of socio-economic factors and perceptions of what is good for the country." By this she means that attitudes of citizens is determined by their own personal well-being both economically and in the socio-economic sector. An article from Forbes in 2009 describes a very disgruntled CEE attitude toward the EU because of the financial crisis that the world was in. At that time they had very little autonomy and couldn't do much about their financial situation because of their ties with the EU. This caused backlash among citizens and the article hinted at a further split between what they called "New Europe" and "Old Europe". This gives us a glimpse of how the economy can affect the perception of the EU in a country.

In my research I chose four different countries to test my hypothesis on. The countries that I chose are the Czech Republic, Poland, Bulgaria, and Slovenia. I chose these cases because they are all existing members of the European Union to date and are also CEE countries. After choosing these cases I then researched

their GDP Per Capita and also the GDP of each one to use as a barometer of how well each country has done economically. The reason that both of these variables are important is because they provide us insight to different parts of the economy. The GDP allows us to monitor how the country did as a whole, while the GDP per capita shows us what that means relative to the population of the countries those given years.

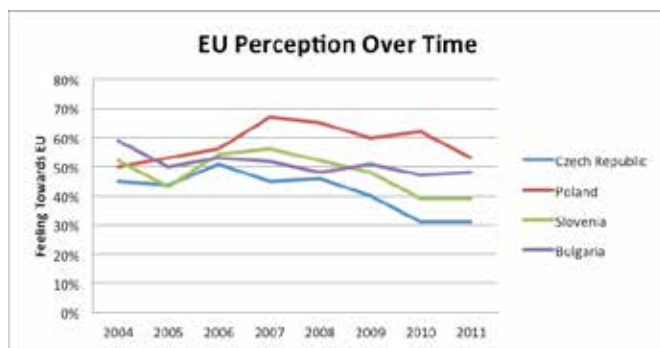
The time series that I chose for this research is from 2004-2011. I started it in 2004 because that is the year that most of these countries officially joined the EU and we ended in 2011 because that is the extent of the data source that I used. To try and get a good representation of perception over time I made sure that the time series was not less than 5 years and shows both times of prosperity in the world and times of recession. Below I have inserted a table that shows the GDP per capita and the how citizens ranked their perception of the EU for both 2007 and 2011. I chose these years because 2007 marks the beginning of the world-wide recession and 2011 is the most current year of the data which gives us better perception of whether or not people are currently supportive of the EU. In this I have also included all four of my countries chosen in my country set. Interestingly enough we do see an increase in GDP per capita in all of these countries but Slovenia, yet the perception of the EU being "A good thing" decreases in every single case. This may be attributed to people expecting a larger increase in GDP per capita like in subsequent years, and therefore being disappointed when it doesn't happen. This is why I chose to measure GDP per capita on a yearly basis because with recession economic growth was drastically slowed down and it is reflected in how people feel about the EU.

TABLE 1

	Czech Republic	Poland	Slovenia	Bulgaria
GDP per capita 2007	26835.69	18934.52	29510.16	14737.19
EU ranking of "A good thing" 2007	45%	67%	56%	52%
GDP per capita 2011	27047.02	21012.19	28155.9	15521.82
EU ranking of "A good thing" 2011	31%	53%	39%	48%

The dependent variable that I have used for this research is whether or not citizens in these countries view the EU as a good thing. The basis for my analysis is from the Eurobarometer. This is data that is retrieved from different EU member countries and was collected by the EU commission. It ranks how different countries view the EU by asking them to rank it on a scale of a good thing, a bad thing, neither, or don't know. For the sake of our research and to discover the trends of whether or not people view the EU as a good thing over time, I only used the first option. The data that is collected only spans from 2004-2011 thus restricting us to those years for our study. Table 2 shows in a line graph how the perception of the EU has changed from year to year in these countries and it shows that for the most part all four of these countries show the same trends with the exception of Poland, which remains fairly constant over time.

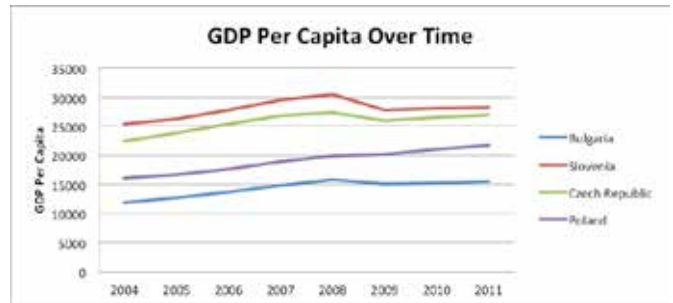
TABLE 2



The independent variables that I used for my research are GDP Per Capita and GDP because they serve as indicators of how well a country is doing economically and can be measured over time. This basis for my analysis for my independent variables is from the World Bank site. This data is found under the “World Development Indicators” and again the time series used here is 2004-2011. I used this time series to ensure that my data is consistent with my dependent variable even though the data for both GDP and GDP Per Capita are available up to current years. What we see in this data is that in the beginning stages of EU integration our countries are on a steady increase economically until around 2007 and 2008 when they are hit with recession. If we look at Table 3 we see that the only country that does not see a decrease in GDP Per Capita at the time of the recession is Poland, while all of the others see fairly significant dips in their economy with Slovenia being the most severe. This trend is reminiscent of the Rapacki article which says that the economies of these countries as a whole are doing better however that doesn't seem to be reflective in the perception of the EU. It logically follows that with a better economic situation there would come an increase

in support for the EU yet that is not the case. This is why we are looking at trends in perception on a year to year basis.

TABLE 3



When looking at the data, we can see that over time there is a clear fluctuation in perception of the EU from 2004-2011 in our CEE country cases. We can also see that there are similar fluctuations in the economic performance of those same countries over the same time series. In order to find out whether or not the economic fluctuations of CEE countries affects how people feel about the EU I ran a regression analysis. The reason that I chose to do a regression analysis over other options is because with regression we are able to input several different independent variables and see how much they affect our dependent variable. The two independent variables that I used were GDP Per Capita and GDP to monitor each cases progression economically. Table 4 is a description of the results that I found after running the regression analysis.

TABLE 4

<i>Regression Statistics</i>	
Multiple R	0.569332
R Square	0.324139
Adjusted R Square	0.277527
Standard Error	0.071619
Observations	32

ANOVA

	df	SS	MS	F
Regression	2	0.071339	0.035669	6.9541
Residual	29	0.148749	0.005129	
Total	31	0.220088		

	Coefficients	Standard Error	t Stat	P-value
Intercept	0.579511	0.053792	10.77312	1.19E-11
GDP	-5.4E-06	2.26E-06	-2.41236	0.022402
GDP Per Capita	2.54E-13	9.87E-14	2.575175	0.015385



The regression results from testing our data are shown above. What we see here is that the economic state, measured by GDP and GDP per capita, of the CEE countries that we chose do have an effect on how a country feels about the EU. When we look at the R Square statistic we see that it is about a .32 which means that the about 32% of change that we see in our dependent variable can be explained by our independent variables. Per the results we can see that the economy is not the only factor that causes people to feel that being in the EU is a good thing but it is a substantial factor. This means that there are other factors that cause people to perceive the EU as a good thing and those other factors will explain the other 68% of this model. We also know that this model is statistically significant because when we look at the P-value we see that it is clearly less than the .05 which indicates a 95% confidence interval. This is important because it shows that the research done here will hold true 95% of the time. By using regression analysis we do in fact see that there is a relationship between the economic status of CEE countries and how they affect the perception of EU membership by its citizens.

Through this research what we have learned is that on a year to year basis the economy has an effect on how citizens in Central Eastern European countries perceive the membership of their state in the EU as a good thing. However this does remain consistent with articles from Rapacki and Ethin because it shows that public opinion is not solely based on the economy because the economic situation of each of these countries from accession until now have greatly improved. This in turn is even more consistent with Ethin because that shows that people are generally uninformed due to their lack of looking at the “big picture” which is economic growth over time. The fact that I found that 32% of perception of the EU is based on a year to year perception of the economy shows the lack of looking at economic prosperity since inception. In general these countries have done much better over the course of further EU integration however that is not exemplified in their perception of the EU.

## FOOTNOTES

- 1 Orla Doyle and Jan Fidrmuc. *Who Favors Enlargement?: Determinants of support for EU membership in the candidate countries' referenda.* (European Journal of Political Economy 2006) 520-543
- 2 Doyle and Fidrmuc, *Who Favors Enlargement*, 522
- 3 Ryszard Rapacki and Mariusz Prochniak. *The EU Enlargement and Economic Growth in the CEE New Member Countries.* (Economic Papers 2009). 1-21
- 4 Piret Ethin. *Determinants of Public Support for EU Membership: Data from the Baltic Countries.* (European Journal of Political Research 2001) 31-56.
- 5 Ethin. *Determinants of Public Support for EU Membership.* 33.
- 6 Anetta Caplanova, Marta Orviska, and John Hudson. *Eastern European Attitudes to Integration with Western Europe.* (JCMS 42.2. 2004) 271-288.
- 7 Caplanovs, Orviska, and Hudson. *Eastern European Attitudes.* 274.
- 8 Nouriel Roubini. *Will the Economic Crisis Split East and West in Europe?* (Forbes. February 26, 2009.)
- 9 Eurobarometer. *European Commission, Public Opinion.* (2014)
- 10 World Bank. *World Development Indicators Database.* (2014)
- 11 Rapapcki and Prochniak. *The EU Enlargement.* 11.
- 12 Ethin. *Determinants of Public Support for EU Membership.* 36.

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# IN GRATITUDE

The CRC Model United Nations wishes to gratefully acknowledge the following individuals for their generous contributions to this year's team. Their donations made it possible for us to go to the 65th Model United Nations of the Far West Conference held in Burlingame, April 16-20th.

**Anonymous**

**Lisa Abraham**

**Rosalie Amer**

**Rick Boeck**

**Michael Patrick Duffy**

**Allam El-Qadah**

**Leslie Gale**

**Christopher Gardner**

**Gabriel Gorman**

**Georgine Hodgkinson**

**Norman Hom**

**Kristina Horton**

**Katie McClain**

**The Hon. Mathilde Mukantabana**

**Norton Publishing**

**Diana Reed**

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# Cosumnes River College Global Studies Students Alumni Chapter

*An Affiliate of the Cosumnes River College Foundation*

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The Cosumnes River College Global Studies Students Alumni Chapter works to support both the Department of Global Studies & Political Science and the College. It provides a means for former students to stay in touch with one another, to mentor students currently enrolled in the program and to come to College events, Theatre Department productions and athletic events throughout the year.

*Cosumnes River College was founded in 1970 and is one of four colleges within the Los Rios Community College District. The College is dedicated to the success of its students and to providing an exemplary educational opportunity to the community it serves.*

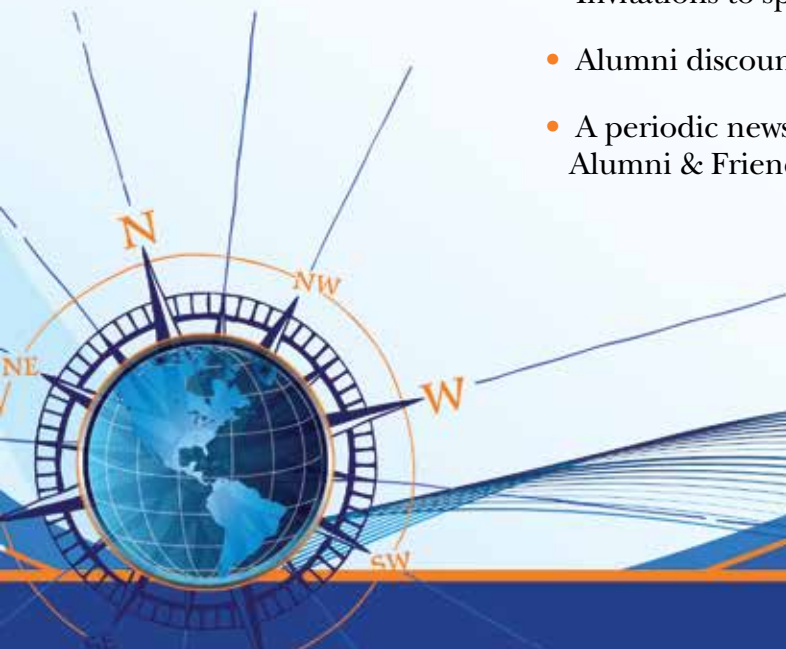
*The Cosumnes River College Foundation supports the College with fundraising efforts that provide the margin of excellence between an adequate educational experience and an exception one.*

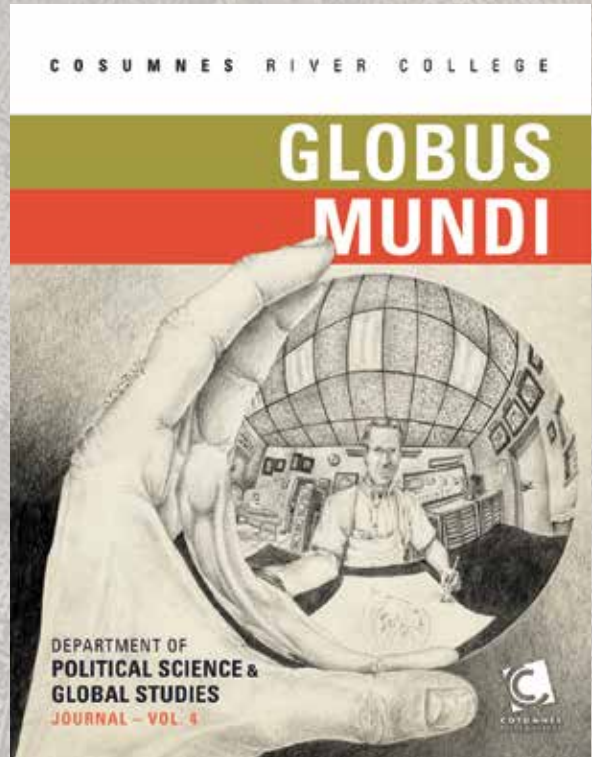
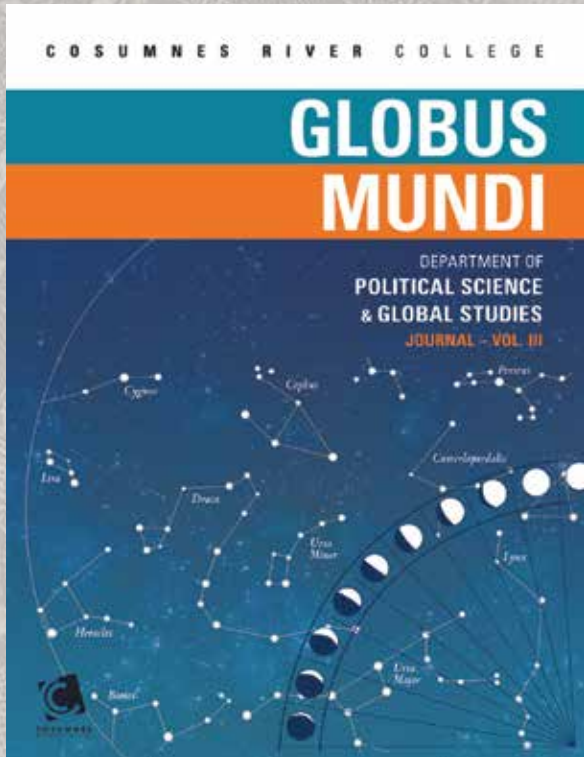
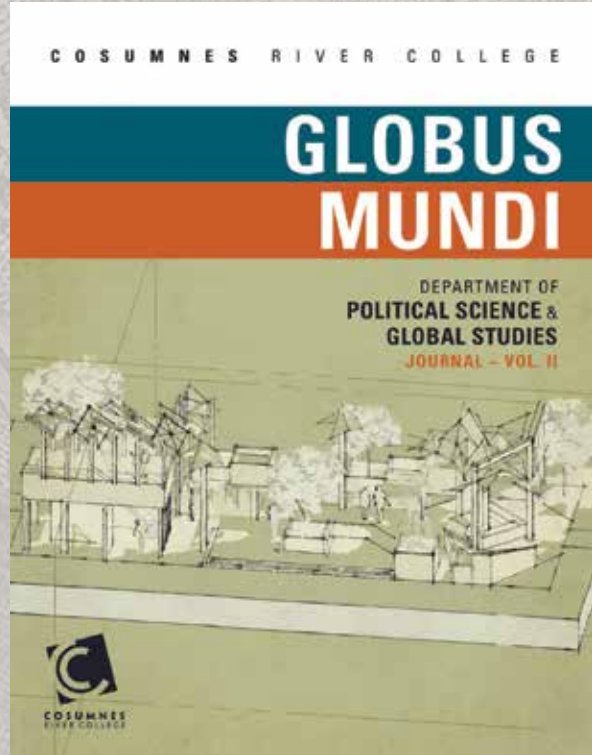
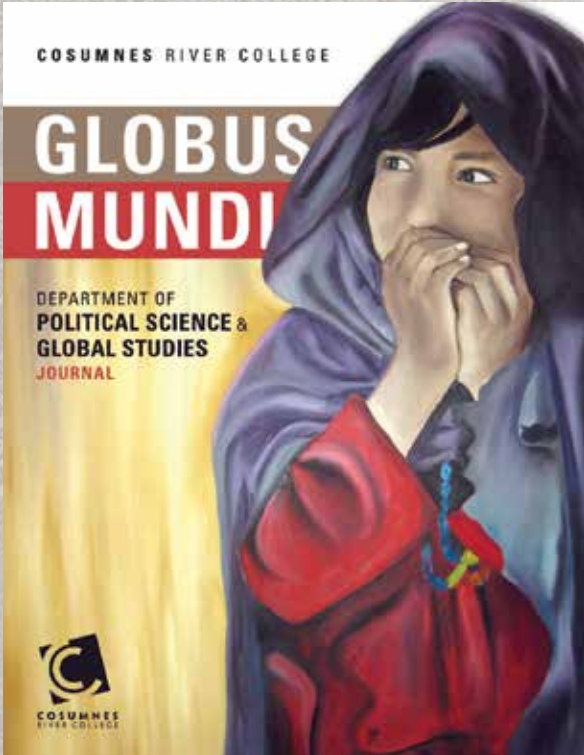
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*Your membership entitles you to the following:*

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- Subscription to “Globus Mundi,” the Journal of Department of Global Studies and Political Science.
- Invitations to special events.
- Alumni discount at CRC athletic and River Stage events.
- A periodic newsletter of happenings at CRC and in the Alumni & Friends Association.

*Please visit the program's website:*  
[www.crc.losrios.edu/GlobalStudies](http://www.crc.losrios.edu/GlobalStudies)





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