

Ilios

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War, Displacement,
and National Identity

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Letter from the Editor

Welcome to *Ilios*, USC's Undergraduate Political Science Journal. We halted production during the COVID-19 pandemic, and this is the first edition since the USC's reopening last fall.

In February of this year, soon after the Russian invasion of Ukraine, I emailed Professor Anthony Kammas a short essay. I wrote about what I felt that the invasion meant for me, as someone with family not far from the Ukrainian border in Poland. As members of diasporas often do, I felt hopeless sitting thousands of miles away from my friends and family who had to face the war. After talking with Professor Kammas, *Ilios* appeared as a way to take some tangible action, organizing discourse on campus around issues of this sort.

Since February, we have continued to witness more issues relating to national identity and displacement. Though our world appears to be beset with these conflicts, our discourse about such events certainly need not be dramatic. Instead, we seek to amplify many students' points of view; it is our hope that *Ilios* will continue to serve as a voice for students to engage with the academic material, their peers, and perhaps most importantly, the outside world. We simply seek to, by engaging others' points of view, understand these life-changing issues with more depth and greater perspective.

The theme of this edition of *Ilios* is war, national identity, and displacement. In the past year, populations around the world — from Ukraine, to Iran, to the United States — have been forced to respond to violence and threats to their security.

This publication seeks to speak to different causes and effects that violence and displacement has on groups and their identities. The edition is separated into two sections: one covering theoretical and international questions, and the other analyzing specific countries or historical events. When analyzing war, national identity, and displacement, there are a variety of questions that beg consideration; the journal's two sections seek to shed light on these different considerations.

Our publication begins with a discussion of journalists in war zones and the international laws that are required to protect those who seek to cover violent events; this article has currency today, given what is taking place around the world and our desire for information about it. Next you will read an article about refugees, which demonstrates the quotidian and political effects of political violence. Finally, the last two articles explore identities' interactions: one discussing the EU and Turkey, and the other discussing how the Los Angeles and Shanghai unhoused communities indicate broader themes of these cities' character.

Articles in the second section of the volume discuss recent ethnic conflict in Kyrgyzstan, the economic impacts of COVID-19 on Los Angeles' minority communities, and the democratization of Ghana. Though these articles all cover varying locations and eras, in conjunction they can be used to consider the effects that crises have on populations and their identities, regardless of time and place.

So, this edition of *Ilios* asks prudent questions to better understand how these identities form (on both national and international scales). Although these articles are divergent in their specific topics, they all ultimately speak to the fact that identities shift over time on account of specific events, which (as we currently bear witness) can often be catastrophic. And yet, despite their constructed nature, these national identities continue to be potent: They organize us, and they tell us where we come from, which can help us determine the direction that we face moving forward.

A few notes of gratitude are also in order. First, to the editorial board: Minji Kang has been dedicated to this project since its inception, and she deserves much praise for making it known to many of our peers; without this work, a number of the papers in this edition would have never been submitted for this volume. Fethi Yaşar and Mané Berikyan are also dedicated members of the *Ilios* board — Fethi adding his philosophical insight at the best moments, and Mané her keen International Relations lens and network.

I would also like to especially thank Professor Anthony Kammas for his support throughout this process. His encouragement and guidance was essential for resuming *Ilios*'s presence on campus, and his dedication to our University's academic discourse is profound.

I hope that this edition is foremost enjoyable to read, and that it also brings up questions that help you better consider the diversities and similarities of political systems around the globe.

John Klopotowski
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Reporting from the Front Lines: An Evaluation of International Humanitarian Law Protecting Journalists in War Zones

Minji Kang

Introduction to Journalist Protection in War Zones

With Russia's recent invasion of Ukraine, and the ever-growing reliance on the news for factual information, the world depends on journalists who collect first-hand accounts from conflict zones. In an attempt to get near the action, war correspondents risk their lives documenting live videos, photos, or film footage on the battlefield. It has been reported that at least 23 civilian journalists and media workers have been killed in the line of duty during the Russo-Ukrainian War as of May 5th, 2022. The Russian invasion of Ukraine is of paramount importance in journalism, with its enormous number of correspondents reporting from the war zone. The process for journalists to get into Ukraine is comparatively easier than in other countries where journalists aren't granted access, as in the 2012 Anthony Shadid case, where a Middle East reporter died of a fatal asthma attack while trying to receive a visa to Syria (Gladstone, 2012). Additionally, the amount of live tweeting by professional reporters on military movements and atrocities is unprecedented. Given the significance of the work that war correspondents produce during an armed conflict, it is of utmost importance to grant military correspondents maximum protection.

Unfortunately, since the start of the war in Afghanistan in the early 2000s, it has been an increasing trend that journalists receive little to no protection and are oftentimes considered a liability. The targeted killing of Marie Colvin in 2012 and the murders of American journalists—epitomized by ISIS's execution of James Foley in 2014—speak loudly to how belligerents gorge on fear-mongering tactics, intentionally attacking media personnel for publicity. Similarly, Russia's firing on the Sky News team, along with the Russian military's fatal shooting of American documenter, Brent Reuid, illustrates the looming dangers imposed on journalists in war zones. In April of 2022, a longtime war photojournalist working for Fox News, Pierre Zakrzewski, and Oleksandra "Sasha" Kuvshynova, a 24-year-old Ukrainian journalist working as a consultant for the network, were killed as their vehicle came under fire while they were reporting (Darcy and Stelter, 2022).

To combat such atrocities, international law must secure *de facto* protection for journalists in war zones and reaffirm their importance to the public. The existing instruments of the Geneva Conventions and Additional Protocol I offer some protection to journalists covering international armed conflict, but the lack of special identification and international recognition of these treaties still leaves potential risks for journalists in war zones. Advocacy groups such as the Press Emblem Campaign (PEC) have argued for an introduction of an internationally protected and recognized emblem similar to the Red Cross as a means by which journalists can be

identified as persons deserving special protection. Such can be achieved through granting a new status for journalists where journalists cannot be said to have directly participated in the armed conflict without a proven intention to incite violence and therefore receiving immunity from direct targeting. Accordingly, similar to the Montecatini draft examined before the ICJ in 1968, a specialized treaty that designates journalists as deserving of special protection beyond the proscription of arrest, detainment, and harassment is necessary. Additionally, forming an International Committee for the Protection of Journalists under the authority of the United Nations would be beneficial in enforcing the newly adopted treaty.

The Illegality of Attacks on Journalists and News Media

Freedom of expression and the concomitant right to receive information are "meta rights" — rights upon which the realization of many others depend (Heyns and Srinivasan, 2013). Journalists deserve special recognition not only for their heroic acts facing life-threatening conditions on a daily basis but also for the role they play in informing society of the atrocities of war. It is, therefore, a collective right beyond personal freedom of expression when a journalist opens a space for different voices to be heard. The information journalists document and disseminate is the bedrock of democracy and accountability. International Humanitarian law grants journalists and news media protection from illegal attacks, even when used for propaganda purposes, which cannot be considered military objectives. In other words, journalists receive the general protection enjoyed by civilians and civilian objects unless they engage in military action.

The Working Definition of Protected Journalists

With the advancement of information and communication technology, the dissemination of information is no longer restricted to print media. The internet has enabled various forms of Communication where social media users play a critical role in dispersing information to a wide range of audiences. To better protect journalists, however, there must be a distinct recognition conferred upon these professionals working in conflict zones. International humanitarian law distinguishes between two types of journalists operating in war zones: war correspondents accredited to armed forces and independent journalists. War correspondents are "specialized journalists who, with the authorization and under the protection of belligerent armed forces, are present in the theater of operations with a view to providing information on events related to the hostilities" (Balguygallois, 2004). These war correspondents enjoy officers' privileges as followed by the history of World War II and the Korean War, unlike independent journalists who only receive civilian protection. According to the 1975 UN Convention, independent journalists are referred to as "any correspondent, reporter, photographer, and their technical film, radio and television assistants who are ordinarily engaged in any of these activities as their principal occupation" (Balguygallois, 2004). The UN Convention's definition of journalist is similar to

how the Council of Europe defines the term as they recognize "any natural or legal person who regularly or professionally engages in the collection and dissemination of information to the public via any means of mass communication" (Susi, 2019).

These definitions broadly encompass and identify online journalists, reporters, and photographers as a protected category, including those in direct support of these occupations, including stringers or drivers. If anything, there must be a consensus in defining which types of media personnel should be entitled to claim protection under the proposed treaty. The ill-defined categories of journalists make it harder to ensure safety beyond granting them civilian status. The military authorization sets the war correspondents and freelance journalists apart. The Geneva Convention's Article 79, Optional Protocol I includes both war correspondents and freelance journalists, but only war correspondents are given additional protection when captured (Moore, 2009). This provision excludes independent and embedded journalists from enjoying the same privileges given to war correspondents. Hence, it is crucial to include the aforementioned journalists in the same category as war correspondents.

For the purpose of this paper, journalists should be considered "any media personnel accredited by the International Journalist Committee who engage in the active reporting of military conflict to provide information on events related to the hostilities." The civilian protection journalists generally receive only goes so far as to provide them with fundamental rights granted to civilians which protect them from murder, torture or brutality, and discrimination, according to the 159 articles of the Fourth Geneva Convention. Unfortunately, and as evident in countless news reports covering the tragic deaths of innocent civilians, the 159 article is insufficient in protecting journalists, not to mention regular civilians. Thus, by granting independent and embedded journalists a special status equal to war correspondents, it would be more effective in identifying and ensuring protection for those media personnel.

Existing Laws on Protecting Journalists

At first glance, international humanitarian law does not seem to provide considerable protection for journalists, given that the only two explicit references to media personnel protection primarily emanate from Article 4 (A) (4) of the Third Geneva Convention and Article 79 of the Additional Protocol I. Nevertheless, the provisions are, by and large, quite comprehensive when compared to other humanitarian laws. Most of the discrepancies in the law and its effectiveness stem from the lack of recognition of existing laws, as well as inherent shortcomings in ambiguous definitions of who receives protection.

Article 4(A) of the Third Geneva Convention

Article 4 (A) relates to the prisoners of war, which defines and lists those who have fallen into the power of the enemy. Article 4(A) provides that war correspondents, among many other categories, are entitled to the prisoner of war status as a "person who accompanies the armed force without actually being members thereof." (ICRC, 2020). They are given authorization from the armed forces, which they accompany, and provided with an identification similar to an annexed model. They are treated as civilians who have a right not to be an object of attack, and once captured, they are given a special "prisoner-of-war" status. Again, because international humanitarian law distinguishes independent journalists from war correspondents, this provision only covers the identified war correspondents. Hence, independent journalists who are not accompanied by the military force do not receive special protection and are left to their own devices when entering a war zone. In civil wars, international law does not differentiate the two media personnel and treats them equally as civilians, which adds an extra layer of complexity to the already ill-defined term.

Article 79 of Additional Protocol I to the Geneva Convention

In compensating and further clarifying the rights journalists enjoy, Article 79 under the Additional Protocol I of the Geneva Convention provides journalists with the rights and protection granted to civilians in international armed conflict in conjunction with Article 50. It not only purports to protect journalists engaged in dangerous missions but also guards them against the adverse effects of hostilities. Specifically, journalists engaged in dangerous professional missions are protected given that they "take no action adversely affecting their status as civilians, and without prejudice to the right of war" and are given identity cards issued by the government (UN, 1977). Protocol I only extends to situations of international armed conflict and to journalists who are either exposed to the dangers of the battlefield or fall captive.

While the Additional Protocol I is ostensibly comprehensive in listing the rights and protection given to journalists, it misses the mark by not creating special statuses for journalists as it deems "any increase in protective signs tends to weaken the protective value" (Balguygallois, 2004). Critics argue granting special statuses and distributing more identification cards would not necessarily lead to better protection. However, such reasoning overlooks the unintended consequences of the inability to hold the perpetrators accountable, leading to issues of impunity when these provisions have undoubtedly been violated. While the deaths of many internationally renowned journalists receive the media spotlight, the stories of lesser-known reporters fade in injustice.

The Protection of Embedded Journalists

The critical limitation of the Article 4(A)(4) of the Third Geneva Convention and Article 79 of the Optional Protocol stems from the ambiguity surrounding "embedded" journalists who are accompanied by military troops in wartime. With the rise of targeted killing of journalists, accompanying armies in the field is usually how journalists can document and disseminate information first-hand. Given that ISIS, Al-Qaeda, and the Taliban have a record of targeting foreign journalists and taking them hostage, it is near impossible to guarantee the safety of journalists if they roam around the battlefield with a clear indication that they are, in fact, foreign media personnel documenting the horrors of the military conflict. Embedded journalists are, therefore, an immediate and practical solution to dodge direct targeting. Yet, ironically, they are not given any explicit protection under international humanitarian law. Granted, some public perceptions of embedded journalists are more skeptical than others. The fact that a majority of foreign journalists are assigned to American and British combat units raises issues of media biases favoring Western Democracies, and the military public relations with the international public are much harder to disentangle from the popularity of the US policy abroad (Paul and Kim, 2004). While this comes with a set of criticisms that the journalists would inevitably become more partial to their military hosts, which may lead to deteriorating the objectivity of their profession, the compromise between safety and professionalism appears inevitable (Levett, 2017). Military conflict unavoidably involves combat between two belligerents that differ in their values and belief systems.

The heated debate surrounding the media objectivity of embedded journalists is solely up to the professionalism of the reporters who work in alignment with their integrity. Journalists must rely on their professionalism to psychologically detach from their assigned units. Additionally, if journalists can spot and report on the shortcomings of the military units they are assigned to, their professional integrity will prevail every time. Overall, the issue of international law in treating embedded journalists comes from its failure to accommodate and recognize the significantly growing numbers of embedded journalists. International law must, therefore, critically review the importance of embedded journalists and grant them special recognition of protection when they are exposed to danger or taken hostage at the hands of the belligerents.

The Importance of Embedded Journalists

The embedded reporters draw the public's attention closer to the atrocities of the war and enable a high level of access to the battlefields. Embedded journalism establishes satisfactory access to military operations and outcomes, allowing journalists to deliver unprecedented documents of war experiences in real-time. The military receives more favorable coverage than it would have had if they were not for embedding journalists. And it is clear that the public saw a type of picture that they had never had an opportunity to see before (Brooks et al., 2003). In

analyzing the guidelines of safety measures for reporters under the embedded press system, it should be noted that the risk these journalists face is comparable to that of the soldiers they travel with. To safeguard embedded journalists whose gathered information effectively helps people exercise their democratic rights, international humanitarian law must set specific provisions directly related to such occupation.

Loss of Protection

Given the Additional Protocol I Articles 79 (2) and 51 (3), the protection of journalists is forfeited when they partake in armed hostilities. This is in accordance with the civilian protection journalists are granted. Article 51 (3) provides that "direct participation in the hostilities" are "acts of war which by their nature or purpose are likely to cause actual harm to the personnel and equipment of the enemy armed forces" (UN, 1977). Hence, it is only when a journalist participates in military combat he will lose immunity and become a legitimate target of attack. The engagement in propaganda cannot be considered direct participation, as civilian morale cannot be construed as a legitimate military objective to harm the opposing combatants. The failure to abide by these standards may increase the risk of journalists being targets of war, as substantiated in the case of the 2003 CNN armed crew incident in Iraq. The CNN crew covering the Iraq invasion that came under fire on its way to Tikrit responded with an automatic weapon. This incident in the Iraqi city represented the first time that media vehicles traveled with private security guards, which was unseen and unheard of during the 1991 Persian Gulf Wars. (Getlin, 2003). Such behavior sets a dangerous precedent and increases the risk of journalists being targets of attacks, as combatants can mistake any journalist's vehicle as a potential threat, ultimately leading to hostilities. The confusion and disobedience to the guidelines set by the international community jeopardize all other journalists covering wars. Hence, it is not only the international community's responsibility but also the media personnel's conscious effort to abide by the guidelines that can lead to full legal protection.

Case Study: War Crimes Against Journalists

Maria Catherine Colvin was an American reporter who worked for the British newspaper *The Sunday Times*. She dedicated her whole life to writing vivid dispatches from places only a few Western correspondents would dare to go: Chechnya, East Timor, and Syria, where she was killed by a deliberate artillery attack in 2012. Losing her eye in a grenade attack in Sri Lanka did not stop her from shedding light upon wartime stories and informing the world of the atrocities and horrors of war. On February 22nd, 2012, Colvin was killed along with a French photographer Rémi Ochlik after the Syrian government shelled the media center they were in. In *Colvin v. Syria*, a case brought to the United States District Court for the District of Columbia by Marie Colvin's siblings found the Syrian Arab Republic liable for the extrajudicial killing of Colvin. The suit was filed under the Foreign Sovereign Immunities Act 28 USC §1330 and

1605A, which provides jurisdiction over US nationals who were injured or killed by state sponsors of terrorism and their officials, employees, and agents. The plaintiffs argued that the Syrian government launched a premeditated targeted artillery attack against the Media Center in Baba Amr. The journalists and media personnel in the Media Center were unarmed civilians who did not partake in the military operation nor violated the guidelines set by international humanitarian law. The court reasoned that Colvin and other journalists were targeted because of their profession for the "purpose of silencing those reporting on the growing opposition movement in the country" (Colvin v. Syria, 2019). The court agreed with the plaintiff that the active killing of these professionals has a chilling effect on reporting events worldwide that extends to "inhibit the gathering and reporting of news" in war zones (Anderson v. Islamic Republic of Iran, 2012).

The court found that the premeditated attack on Baba Amr Media Center constituted a war crime that violated international law. The extrajudicial killing violated Article 3 of the Fourth Geneva Convention, Article 79 of Additional Protocol I, and Rule 34 of the ICRC's compilation of customary international law. In reaching its verdict, the court ordered the Syrian government to pay \$302 million in entitling Colvin's family to compensatory damages for the economic losses resulting from the wrongful death, for the personal injury resulting from the intentional infliction of emotional distress, and for solatium. While Marie Colvin's case exemplifies a somewhat successful redress of wrongful death, given that Colvin's family was entitled to financial compensation, there are cases where the justice for lesser-known journalists who fell victim to military operation goes unserved. The plaintiff, Cathleen Colvin, was able to file a lawsuit under the Foreign Sovereign Immunities Act 28 USC §1330 which only extends to US nationals. This should be codified in the international legal system where if a journalist falls victim to a military attack, the victim or relatives who have been subjected to killing and torture abroad by a foreign government can seek compensation.

A New Provision in Protecting Journalists in War Zones

Given the many identified flaws of the existing international doctrine on protecting journalists, there should be a new provision for journalists similar to the Montecatini Draft presented by the UN Convention in 1968. The Montecatini Draft was set forth to protect journalists by establishing an independent committee under the United Nations composed of several members of the UN Secretary-General from a list of designated press magazines (Howard, 2002). The objective of this committee lies in the official identification and registration of journalists on dangerous missions. The journalists' identification card provides their name, age, nationality, occupation, and the name of the press organization they work for. To analyze the benefits of the draft, the identification system further promulgates the effects of the legal protection conferred on journalists. Once identified, the committee will be able to actively monitor the safety of these journalists. However, considering the increased number of embedded

journalists in modern times, compared to 1968 when the original draft was suggested, requiring journalists to carry identification cards and wear a recognizable emblem in war zones may increase the risk of being exposed and ultimately get targeted for their profession.

The International Declaration on the Protection of Journalists is a proposed resolution by the International Press Institute partnered with the Al Jazeera Media Network, the International News Safety Institute (INSI), and the Africa Media Initiative (AMI). The declaration summarizes and re-emphasizes the international humanitarian protection of journalists operating in dangerous environments to guarantee their safety and combat impunity (International Press Institute, 2021). One benefit of this draft is that it is two-fold; it covers the principles relating to the protection of journalists and extends these protections by setting a guideline for media organizations to follow.

It extensively covers the rights enjoyed by journalists and acknowledges the value of cooperation between state institutions and media organizations. For instance, one of the action items required for media organizations includes the allocation of financial resources to adopt the best safety protocols. This could be achieved as a form of mandatory safety training for all journalists, including digital safety and emotional and psychological well-being. Additionally, this proposal is the first to recognize gender-specific safety concerns, calling for media organizations' dedicated attention to female journalists, which sets it apart from other preceding documents. As such, incorporating these agreements into a new resolution will further develop and strengthen procedures for ensuring physical and psychological safety as well as digital security for journalists.

To improve the effectiveness of the Montecatini and the International Declaration on the Protection of Journalists, there must be four revisions made to the original drafts that include but are not limited to (a) conferring new special status to all journalists regardless of their affiliation, (b) appointing a diversity of news outlets as members to the newly built international journalist committee, (c) setting a cybersecurity team to protect the data and information of journalists registered in the system, and (d) reinstating the obligation of combatants to warn in advance of an attack.

First and foremost, regardless of the journalist's status of being an independent reporter, war correspondent, or embedded, all and any media personnel should be given special status and the entitlement to prisoner-of-war status when captured by the opposing combatants. Unlike war correspondents, independent journalists work at an increased risk of not receiving fundamental protections to be free from acts of violence, intimidation, and insults. Considering the importance journalists hold in disseminating critical information about armed conflicts, any action against these professions should be considered war crimes and held liable. Moreover, the newly established International Journalist committee should appoint a myriad of media outlets to combat and control the issue of embedded journalists publishing favorable news of their

accompanied units to maintain the impartiality of the reports. One of the main criticisms of the increased number of embedded journalists derives from the loss of objectivity. Such issues can be regulated by appointing a number of media outlets that represent different sides of the story.

Furthermore, to curb the influence of hackers infiltrating digital systems to identify journalists, there must be a cybersecurity team to protect against any hostile security breaches. As evident in the Marie Colvin case, the Syrian government did not hesitate to attack the Baba Amr Media Center center once it identified the location. To prevent premeditated armed attacks on journalists, a team of cybersecurity personnel should be hired by the committee to monitor the safety of journalists and deter any security breaches.

Last but not least, there must be an advance warning of an attack for the purposes of evacuation. While this is codified in Article 57 (2) (c) of Additional Protocol I, the prevalence of undeclared attacks makes the provision futile. For the purposes of ensuring accountability of such attacks, it should be reinstated and recognized by the international community that any attacks on journalists who are not directly partaking in military operations to be considered a war crime.

Conclusion

With the nature of modern warfare vastly changing the role of news, the existing international law fails to protect journalists working in dangerous regions and leaves the perpetrators of war crimes unpunished. This article examined the role of international humanitarian laws— especially, Article 79 of the Additional Protocol I and Article 4 (A) (4) of the Third Geneva Convention— and their shortcomings in defining the protected categories of journalists. The new status of journalists reflects a desire to acknowledge their unique function of informing the public. In this regard, the expansion of international humanitarian law and the establishment of a committee dedicated to the welfare of journalists on dangerous missions can only increase and benefit the existing schemes. Furthermore, this new provision takes into account the growing importance of embedded journalists who have facilitated better military-press relations and enhanced the news coverage of military conflicts. That said, building upon the basic enforcement infrastructure and codifying resolutions necessary will help promulgate the ultimate goal of ensuring appropriate protection for the press.

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History of Refugee Laws in Europe, Discrepancies and the Impact of the Ukraine-Russia War

Stella Mendez-Sepassipour

The notion of one being forced from their homeland has been a common theme throughout history, but “refugee” comes to us as a fairly new concept. As World War I caused a spike in the number of forcibly displaced people (due to war, famine, and persecution), the ‘refugee’ category was officially acknowledged. During World War I, the international community created guidelines to protect basic human rights of those most vulnerable. The protection of forced displaced peoples were put in place during World War II; such protections were decided amongst states at this time there was an increase in the attempts of Jewish people to escape their countries due to persecution on the basis of their religion by Nazi Germany. By 1945, around 40 million individuals were forcibly displaced and millions were left with undignified lives; most of these individuals were women and children as men fought in war.

As a consequence of numerous individuals becoming stateless due to fear of persecution, the Allies (Great Britain, the United States, and the Soviet Union), established the United Nations Rehabilitation and Repatriation Administration in 1943. This Administration provided aid for mass resettlement and doctors, social workers, teachers, and other professionals to aid victims of war. In 1948 the United Nations created the Universal Declaration of Human Rights (UDHR) which required member states to comply with the obligations of human rights protections. Articles 15 and 16 of the UDHR explicitly state that no individual should be deprived of their nationality and these rights should be granted regardless of one’s race, gender, and religion. In 1951 the Convention on the Rights of Refugees was crafted in the Geneva Convention. However, there was a the lack of universality of the former, as it was mostly for European states, due to the large Jewish displacement on account of WWII and the Holocaust. So, in 1967, the Protocol Relating to the Status of Refugees was created as a way to expand the rights of refugees globally, beyond European territories.

International communities outside of the European continent challenged the universality of these protocols. Hence, the Cartagena Declaration includes a non-binding agreement adopted by the Colloquium on the International Protection of Refugees in Latin America, Mexico, and Panama; this was ratified in Colombia in November, 1984. The Cartagena Declaration is based on commitments that countries have in regard to refugees which includes a range of commitments to peace, democratization, regional security, and economic cooperation. Although international law has made efforts to protect those in critical displacement due to armed conflict or human rights violations in their home countries. There are thousands of people who are left with no status and are victims of non-refoulement violations.

To properly understand refugee laws and how they function in modern times, it is necessary to examine the definition of “refugee”. The term “refugee” was first established by the 1951 Convention on the Rights of Refugees which states in *Article 1 The Definition of Refugee*, that a person is eligible to be recognized as a refugee if it is a victim of persecution due to race, religion, nationality, membership of a social group or political opinion, and hence, they are unable to safely return to their country of origin. Since this definition is very narrow, the 1967 Protocol Relating to the Status of Refugees extended the Convention to address the recognition of refugees worldwide (as the Convention has always been Eurocentric). According to the 1951 Convention, refugees have to meet four criteria: they must have a justifiable fear of persecution, the persecution must be on the grounds of their origins or social stance, they must have been displaced to a foreign country, and they are ultimately unable to return to their home country.

In “Colonial roots of the 1951 Refugee Convention and its Effects on the Global Refugee Regime,” Ulrike Krause explains how colonialism has affected the drafting of the 1951 Refugee Convention and Protocol. Refugees have always been addressed in Eurocentric and Westernized terms; as such, many countries were under colonial rule and these countries have been strategically excluded from the drafting of various refugee conventions. Countries under colonial rule have been strategically excluded from any drafting. For instance, research associate Mayblin in *Colonial roots of the 1951 Refugee Convention and its effects on the global refugee regime* assessed the origin of the Convention and the position of the United Kingdom which excluded non-European refugees in international debates. Before its drafting, discussions about the Convention were dominated by colonial leaders and their colonies were silenced and had little input when drafting the Convention. The superpowers had the power to take a stance on who and how they were politically willing to help and welcome to their country. Today, there is a negative sentiment towards migrants from previous colonies that became independent, making them fit uneasily into refugee frameworks. Colonization within international frameworks explicitly highlights how European states welcome refugees from other European states yet exclude refugees from Africa, the Middle East, and Asia.

World War II and the Holocaust were major events that created and expanded human rights protections and international aid. However, one of the worst crises in the 20th century that impacted European stability were the Yugoslavian wars from 1991-1999. Eighteen million refugees were forced to leave and twenty-four million were internally displaced. The former Yugoslavia was a Socialist state formed after the German occupation in WWII. It was composed of six republics: Serbia, Croatia, Bosnia, Albania, Slovenia, and other territories. During the successful years of the republic, President Tito was able to suppress conflict and ruled a coordinated State. After his death in 1980, suppressed tensions reemerged, giving space for nationalist groups to seek Croatian and Slovenian independence.

However, the Serbs were against these movements and violently stopped Slovenia and Croatia from seeking independence. In 1992, the number of deaths increased so immensely that the UN had to claim a ceasefire. Subsequently, Bosnia, a diverse state composed of a mix of Serbs, Muslims, and Croats, also sought independence after Croatia and Slovenia began their rise of nationalism. This conflict involved ethnic persecution as Bosnia's Muslims and Croats were particularly attacked by Serbs in Bosnia and Croatia that received help from Serbs in Yugoslavia, causing more than three million people to be displaced as a result of Serb efforts. At this moment, over a million Bosnian Muslims and Croats escaped their homes due to ethnic cleansing.

The 1951 Refugee Convention accounts for ethnic cleansing entailing refugee status. UN peacekeepers got involved yet, failed to halt the conflict. International peace efforts also failed; more than 100,000 people died and millions were displaced. The war between Yugoslavian states ended in 1995 as NATO bombed the Bosnian Serbs and Muslims, creating a separation of two new self-governing entities: the Bosnian-Serb Republic and the Muslim-Croat federation bound by a central government. The Croatian army made many Serbs in Croatia (under Serb control) flee, claiming themselves and Bosnia fully independent. In 1995, Slovenia, Montenegro, and Macedonia left the Yugoslavian rule, and in 1999, Kosovo's Albanians fought Serbs to gain independence. The various Yugoslavian wars are tragic because they struck during the final years of the Soviet Union and during a favorable economic time after World War II which impacted the welcoming of refugees since recovering countries focused on their prosperity, making it harder to integrate refugees to their societies. As commercial competition rose in Europe, the levels of accepted refugees drastically decreased compared to the post-World War II era. Refugees would entail large amounts of economic losses, so nations began to focus on the prevention of refugee flows by creating stricter borders. However, it is integral to examine how international criminal law punishes the responsible for the millions of refugees and displaced people.

The wars in Yugoslavia included ethnic conflicts between different nations within the country. Forced cross-country migration was caused by the consequences of war, ethnic cleansing, persecution, and oppression by the most powerful groups. According to scholars such as Michael P. Roch, forced displacement in the Former Yugoslavia took form directly and indirectly. Forced displacement; in a direct form, is when an occupying force targets specific groups of individuals and forces them to cross borders to a neighboring country. Indirect forms occur spontaneously where armed conflict is ongoing. The author argues that once a conflict is recognized by the United Nations and involves foreign countries, the conflict is of international nature; arguably, this war was not a civil war between the states that compose Former Yugoslavia.

If one assumes that the Bosnian conflict was an international conflict, the Fourth Hague Convention of 1907 can be taken into consideration. The Hague IV does not specifically address

forced migration, however, it prohibits the punishment against certain populations. Moreover, the Nürnberg Treaty after World War II, as well as the 1948 Geneva Convention, included forced deportation as a war crime – authorizing member parties to criminally enforce this prohibition. Article 3 of the Geneva Convention provides minimum humanitarian standards that have to be followed within the country during its civil wars. It states that despite race, religion, wealth, or gender, those who are wounded during the war should be treated humanely, respecting their dignity. More specifically, it mentions in section (1)(b) of the article that “outrages upon personal dignity, in particular humiliating and degrading treatment” falls under forcibly displaced civilians as their fundamental rights are violated. To enforce this statement, article 17 of the Protocol II of 1977 prohibits the displacement of civilians during a civil war. Additionally, the Genocide Convention plays an important role in international conflict, civil war, and peacekeeping. Like other agreements, this Convention does not include forced displacements as a crime but focuses on eliminating the persecution of individuals which ties to the definition of a refugee in article 1 of the Refugee Convention. Nonetheless, the Convention protects those who suffer from the psychological trauma that forced displacement causes. The Genocide Convention enumerates displacement as a criminal act– the intent to destroy and persecute a group of people.

The second largest refugee crisis in Europe is the current displaced Ukraine citizens due to the Russia-Ukraine war. Territories within Europe that have created major tensions have a common denominator; they belonged to the Soviet Union until 1991. The dissolution of the Soviet Union provoked instability while the rest of Europe recovered from World War II and the consequences of the Cold War. During the Cold War, the Soviet Union installed early-controlled communists nations but the West remained capitalistic which created a strong division in Europe. In 1991, not only did the Soviet Union get divided, but so did Czechoslovakia and Yugoslavia when they abandoned the Communist regime. This resulted in major changes in the political landscape such as the bonding to NATO, and the increased emergence and dissolution of states. Ukraine joined NATO in 1994 bringing the West closer to the Russian borders. However, individual decisions of what territories the people getting divided belonged to caused increased politicization of ethnic and political identities creating tensions within Ukraine. The Russian nation was divided resulting in various borders – a prominent enclave being Russian-speaking Ukrainians. For example, in Crimea, a Ukrainian territory, the majority of the population was Russian. Despite being within Ukrainian borders, people in these regions identified as Russian; hence the identity issues. Language also plays an important role in identity formation, hence those within Ukrainian territory who speak Russian felt out of place, leading to the rise of independence movements from Ukrainians. Russia in the last decades has had a strong stance in their political identity. Putin, an authoritarian leader under a democratic society, has preserved the identity of

Russia has historically been separate from politics of the West, especially Western liberal democracy. However, Ukraine has always been divided and weakened by pro-Western regime

and authoritarian Russia that maintains Russian nationalism within Ukraine. The radicalization of the divide since the termination of the Soviet Union facilitated the rise of far right Ukrainian nationalists and Russian speaking separatists resulting in a “fascist” west and “anti-Ukrainian, pro-Russian” east.

The ethnic, and political tensions have been exacerbated due to the interdependence between both Russia and Ukraine surrounding the acquisition of natural resources. In 2014, Europe experienced one of the most serious security issues as Russia invaded and annexed Crimea; Ukraine’s territory with a large Russian identity. One of the possible explanations for the invasion is due to the economic costs that result from the dependency of Russia to Ukraine’s natural resources. The imperialistic and neo-colonial intention of Russia’s attempt to take over Ukraine can be explained in two ways: the large geopolitical interest through the invasion of strategic areas, and identity loss from the separation of the Former Soviet Union. The resource dependency theory approach developed by Johannesson, Jokull and Clowes in *Energy Resources and Markets – Perspective on the Russia-Ukraine War*; comes from an economic and geopolitical field and concludes that Russian aggression towards Ukraine is due to the long-term political shifts that have affected economic futures. By invading these areas, Russia can gain more geopolitical power. Russia is strategically attacking areas where there is a pro-Russian identity, and then slowly accessing the less pro-Russian areas. Putin’s main goal is to keep Ukraine closer to the East so that NATO has less geopolitical power to be close to the Russian borders.

Due to war, genocide, persecution, and other atrocities in history, many children and marginalized communities have been victims of war due to lack of protection (prior to the 1951 Refugee Convention). During the end of WWII, refugees were accepted into countries of destination based on health requirements as these countries sought to welcome “useful citizens”: citizens who can be a positive part of the community in an economic, social, and political manner. Children left alone and single mothers with children were excluded from the grant of refuge because taking everyone is a high cost to the community – specifically people with special needs. However, in the 1951 Refugee Convention, specific values were established in the Register section. Recommendation B, Principle of Unity of the Family, recommends taking extraordinary measures to protect family maintenance and minors – especially those unaccompanied by a guardian. Although there is no universal definition of a ‘minor immigrant’, increased emphasis has been placed on children in recent decades. The phenomenon of juvenile migration has to be deeply analyzed as it is in continuous transformation due to globalization and strict borders. Bertozzi in *The Minor Immigrant and the Effects of Juvenile Migration in Europe* identified different categories of minor immigrants, including minors, who were refugees or asylum seekers, war refugees, and unaccompanied minors. According to the United Nations High Commissioner for Refugees, an unaccompanied minor is a child who is separated from their parents and has no adult guardian with them. The reasons for separation may be due to being kidnapped, escaping from one’s family, or being sent by one’s parents to countries of

destination; such as European or North American countries. Based on the Geneva Convention, a refugee is an individual who escapes their country due to fear of persecution due to religion, national origin, political or social group, and cannot return home as their basic human rights would be put in jeopardy. With the rise of child refugees, analysis and data collection of minor immigrants is very hard to gather. Upon their arrival, it is very difficult to identify biographic information due to language barriers and psychological states that children occupy. The Common European Asylum System seeks to create fair asylum procedures to ensure that people are granted international protection and enjoy what entails being part of the European Union. As UNICEF exhibits, by March 7th 2022, nearly 100,000 children, half with disabilities, live in institutional care or in boarding schools away from their legal guardians or relatives. Hundreds of these children account for the millions of refugees that have fled the Ukraine to neighboring countries such as the Republic of Moldova, Romania, Belarus, Poland, Slovakia, and Hungary as shown in UNCHR's Operational Data Portal. The neighboring countries both within and outside the Schengen space are accepting refugees and accept the help of international organizations such as *Save the Children* which focuses on unaccompanied minors. Save the Children gathers professional staff and volunteers to provide refugees arriving at the Romania-Ukraine border with food, water, and hygiene kits. Special care for unaccompanied and separated children is given through psychosocial support and access to legal services. The Ukraine Refugee crisis is the largest since WWII in Europe with Syria and Venezuela leading worldwide.

Despite the gravity of different refugee crises in the last decades, different instances have been handled and accepted by host countries. The origin of refugees matters when it comes to being welcomed by the host country. Europe has opened their arms to the five million refugees giving housing and legal support (unlike the refugees coming from Syria during the largest refugee crisis in the past years). The sentiment of being culturally different from “others” challenges the ideas and efforts that the international community poses when drafting Refugee norms. A study by Krzyzowski and Nowicka explained in *European solidarity as boundary-making: A conjoint analysis of attitudes towards Islam in the context of the ‘refugee crisis.’* proves that the attitudes towards Muslim refugees are different than towards Christian refugees. The citizens' views in Poland and Germany were examined and the results showed that the Polish community have higher scores in anti-Islamic attitudes; only 7% were willing to accept Muslims, whereas 25% were willing to accept in Germany. Both countries also show more acceptance towards women than men due to negative stereotypes attributed to Muslim men in Western media. Poland is one of the countries that is currently accepting the most amount of Ukrainian refugees because, as found in the study, the Polish community is willing to accept those culturally similar to them more than other European countries. The concept of solidarity in Europe was magnified in the 1973 Declaration of European Identity adopted in the Copenhagen Summit by the nine-member states of the European Community (EC). Solidarity was redefined in 1990 with a new view of unity in diversity with the aim of increasing the acceptance of those who are culturally different. In the Charter of Fundamental Rights of Europe (2000), the norms

and values shared by all Europeans included the respect for diversity of history, language, population, and religion.

Regardless of the efforts from Conventions, Declarations, and international organizations, the promotion of the acceptance and aid to victims of human rights violations is studied in social psychology. The dynamics of feelings between in-group and out-group members naturally cause tensions and different levels of aid given. A study by Levine et al., 2005, examined the aiding levels between in-group and out-group members. The participants were given shirts of their favorite soccer teams, if a participant with a shirt of the rival team fell down, they were less likely to help the player get up. If the player has the preferred shirt, they will automatically help. Many similar studies show that it is innate to experience hesitation when helping those who are different and could pose a threat to the communities' harmony.

With the Ukrainian-Russian war, solidarity from the Western world is that of offering diplomatic support to Ukraine and showing Russia a strong stance against their nation. As Severine Autesserre (2012) explains in a study describing politicization of the media, issues are presented to the public in short, concise, and persuasive manners in order to attract public attention. However, this way of choosing what is relevant to certain situations, leaves behind a lot of crucial information. In the Ukrainian-Russian war, the narrative is that the West sees Russia as the enemy. Media outlets explicitly show Russian attacks against Ukraine; therefore, increased support from the West comes from a simplified narrative of the current situation. In comparison to the Syrian refugee crisis, Syrian civilians are not viewed as victims like Ukrainians are. Syrian civilians were put in the same category as rebel groups in the area such as ISIS. Hence, the West attacking Syria and not providing the same aid to its refugees is viewed as the only solution given the threats that rebel groups pose to Western societies. As mentioned, the cultural and ideological differences play a big role in the overall acceptance of refugees.

The level of solidarity that European countries have shown towards those in need has one possible explanation. According to Robert O. Keohane (1997), in international law there are two possible optics that explain why States comply with international human rights laws. In his work, he identified two lenses: normative, using international law for the states' reputational interests, and instrumental, using international law as an instrument to achieve the States' interests. Interests are the central concept between these two views on compliance. Countries following the normative lens are interested in gaining a positive reputation while those following the instrumental lens are mainly interested in material gain. In this case, it is important for the European Union and the European continent to take a position in the conflict. It is a norm to help refugees since it is mentioned in Convention and Protocols. It is also the moral obligation for fellow European countries to have good reputations between each other in order to achieve harmonious relationships that European countries often lack. On the other hand, this solidarity can be seen through the instrumental lens as States complying to international law for their own

benefit. Many of the Ukrainian refugees are granted legal pathways by the Schengen space to move freely within the European Union, to have residency rights with access to housing, social welfare and medical assistance, to have custody and safety for unaccompanied children with access to education, and access to the labor market.

Nevertheless, nations' willingness to comply with the potential conventions and protocols to seek justice for the violation of Ukrainian refugees rights varies. Sovereignty plays a role for not adhering to states' obligations as members of the international community. The internationalization of human rights resulted in a growing recognition of territorial sovereignty. The increased awareness with respect to human rights by the international community has increased during the 20th century, resulting in a greater sense of State obligation to intervene in areas where atrocities are committed. However, the increase of globalization during the 20th century has blurred the lines of physical territorial borders and artificial spaces as technology has been developing rapidly. This process of deterritorialization explained by Benhabib (2020) gives space for contradiction between territory and human rights. This process is a way to avoid complying with international human right violation interventions and to preserve and reinforce borders. One of the architects of liberal international human rights post-WWII, Louis Henkin, claims that sovereignty grants states to enjoy political independence, territorial integrity and nationality. However, state sovereignty is often confused and adds limits to smooth interstate relations that international communities were aiming for. Sovereignty offers the liberty for states to accept international human rights standards how they want, if they want, and whenever they want, under their circumstances. . States are able to void certain articles from Conventions, such as France nullifying article 9 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as they claim it conflicts with their Constitution. Since it is highly difficult to force countries to fully commit to their obligations, many other Conventions can be used to reinforce the statements of the 1951 Refugee Convention. This aids the international community to add gravity to the rights violation. For instance, in Articles 13, 14, and 15 of the UDHR, state that everyone has the right of freedom of movement, and the freedom to exit and return to a country. Moreover, these claim that everyone has the right to asylum; meaning one can enjoy their rights in other countries. Basic international rights standards are enumerated in many of the Conventions, and Declarations in order to re-clarify what rights include. These are embodied in the ICCPR, ICESCR, in the Convention of the Elimination of Racial Discrimination, in CEDAW, in the CDC, and many more. Finally, Article 15 specifically prohibits the loss of citizenship; this right to nationality is restated in Article 34 of the 1951 Refugee Convention. For further enforcement, the principle of non-refoulement has been made fundamental and no reservations are accepted. Non-refoulement is not only mentioned in article 33 of the 1951 Refugee Convention, but also in the European Court of Human Rights, Article 3(1) reads: "No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture." Additionally, this prohibition is mentioned in Article 3 of

the 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). It further applies the prohibition of direct expulsion, return, extradition and transfer to a third country, were the individual might be a victim of refolement and put in possible danger from torture.

Due to the adherence of sovereignty, the right to seek asylum can be interpreted as a right for sovereign states to determine whether they should let the individual into the country rather than granting the absolute right of seeking refuge. In spite of clear human rights definitions, the concept of non-refoulement and the obligation that countries have to provide aid to refugees succumb to gaps in the Conventions. For instance, the 1951 Convention does not take into consideration economic migrants; it does not acknowledge that in cases of extreme poverty, rights are being violated. Persecution based on an ethnic, gender, and religious bases can come in the form of unemployment and systematic poverty for those who are minorities. Hence, in the Ukrainian Refugee crisis, European states are giving these victims the chance to integrate themselves in the labor field of the country of destination. The imbalance of power that liberal Western democracies have, causes them to redirect their responsibilities to third parties in order to create areas where human rights would be protected without stepping on European or Western territories. Using lawless states such as Libya or authoritarian regimes such as Turkey to put refugees in safer spaces has been a common trend during the last decade of European Refugee crises. Excluding those who count as worth welcoming compared to those who do not is the biggest problem in liberal democracies.

Unfortunately, third party countries often use migrants in ways that further violate their rights. Organized mafias profit off those who want to cross borders to Europe by sending refugees in narcoboats to cross the Mediterranean sea or to force women and girls into sex work. As claimed by gender activist Olena Zaitseva, Ukrainian women and girls are more vulnerable to be recruited as sex workers by traffickers. This occurs because of the sexism and objectification of women and the socioeconomic issues prevalent due to the war in Ukraine. This has resulted in extreme poverty, psychological weakness, and desperation.

The recent rise of nationalism in the European continent has shaped modern refugee laws and their compliance. The proximity of the Ukraine-Russia war to Europe possesses a threat as if Russia gains power, it could directly affect the achieved harmonious relationship that Europe has at the interstate level and as a Western political entity. Europe, the West, and NATO have been threatened by Russia's ambition to become the most powerful nation. Therefore, their interference and protection of Ukrainian refugees are essential for the world to take a stance against the autocratic state of Russia. The rise of populism and the successful efforts from far-right political parties have generated an anti-immigration sentiment. There has been a drastic increase in popularity of these far-right parties, mostly in Southern European Union countries after experiencing little economic progress after the 2008 crisis. For example, in 2015, Spain's

new far-right political party drastically increased in popularity. They are known for their high nationalism, for their ideas to protect the Spanish economy and their strong stance on anti-immigration policies, and their lack of legal repair for illegal immigrants to be protected under the law.

Europe needs to find a balance between having a high level of openness to refugees no matter their home country, and show their stance against Russian threats. Showing a political stance should not put others' rights in jeopardy (like those with Middle Eastern origin are experiencing). Both the European Union and the European countries; not belonging to the Union, have been resilient throughout history. Arguably, a lot of the causes of Global South miseries come from European colonialism. However, many of the international efforts seeking world peace started through European initiatives due to the consequences of World War II and the Cold War. When enforcing international law, accountability to individual people and state sovereignty needs to be regulated. Considering the number of policies, Conventions, Declarations, and organizations that the international community has created to tackle the refugee crisis, what is needed is a new narrative for enforcement. Countries need to be politically encouraged to have the will to comply. The international community has to promote more inclusivity to aim decreased discrimination so that the 1951 Convention, the 1977 Protocol, and others like the Cartagena Declaration, are correctly imposed. Finally, countries receiving larger amounts of Refugees due to proximity like Italy or Greece should be the focus of the European Union. As a group, these countries have received large amounts of displaced people, and should be aided in a more effective manner, without disregarding the law. The European Union tends to forget about Southern European countries leaving them with lack of resources to provide aid and not resorting to non-refoulement.

In terms of the Ukrainian-Russian war, European countries such as Poland are impressively aiding and providing refugees with fundamental human rights and providing them a space that enables them to be active citizens until the war stops. The political mobility and the protection given to Ukrainian victims is a powerful tool systematically utilized by the West to portray a global stance that is in opposition to Russia. Authoritarian countries should be more harshly punished by the International Criminal Court and the UN Security Council. Public shaming and reputational harming are something that states want to avoid, therefore it is essential that the global community targets these nations so that their interstate connections are weaker resulting in essentially peaceful agreements.

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The Turkish Odyssey

Fethi Can Yaşar

I. Introduction

The conceptions of “Europeanness” and “Turkishness” are socially constructed identity labels. Although Turkey and Europe have been in close geographic and historical proximity, “Europeanness” and “Turkishness” have different connotations for foreign ideologies. From a post-Orientalist perspective, there is a Eurocentric tendency to identify Europeanness and Turkishness as “the Occident” and “the Oriental-other” respectively. Turkey’s accession to the EU, or the project of officially incorporating Turkishness into Europeanness, underscored the concurrently growing salience of identity politics not only in the EU but also in Turkey.

Since 1987, Turkey has been aspiring to become a full member of the EU. When Turkey’s accession negotiations that aimed at implementing the laws of the EU were at their golden years in the 2000s, identity politics triggered different impulses in the European and Turkish political thoughts. The politicization of “Turkey as part of the EU” and simultaneous crackdowns in the Turkish liberal democracy led to the stigmatization of Turkey as “non-European”. While the European public on average has become less enthusiastic for the enlargement of the union over the years, the European political elite has moved away from the politics of “Turkey in the EU” to the politics of “Turkey as a significant ally of the EU.” Meanwhile, in Turkey, the rise of Justice and Development Party (AKP) and Recep Tayyip Erdoğan have endeavored to metamorphose the sociological and political chemistry of the country, arising societal polarization and authoritarianism, which eventually impeded the EU integration process.

To different extents, further yet exhausting integration and expansion of “Europeanness” in the region and Turkey’s contemporary democratic-backsliding processes have fatigued the Turkish Odyssey: Turkey’s journey for the accession to the EU.

II. Social Construction of European and Modern Turkish Identity

A. European Identity

Unraveling the progression of socially-constructed Europeanness rests on deciphering what the European identity stands for and what power mechanism constitutes this shared identity across the region.

Conceptually, identity has different connotations in the civic and cultural dimensions. In the context of Europe, the formation of Europeanness entails the construction of the “other” – the antithetical non-Europeanness (Mendez & Bachtler, 2016, p. 6). Unlike nation-state identities, the common identity of Europeanness lacks salient attributes of “a common language, cultural geography and territorial symbolism, historical memories, myths and traditions, religion,

ethnicity or outsider groups” (Mendez & Bachtler, 2016, p. 6). Due to the absence of such shared elements, the European identity has predominantly relied on the presence of an “other” lacking overlapping civic and cultural Europeanness.

“A European ‘civic identity’ refers to the perception to be part of a European political system or even a ‘European state’ that defines rules, laws and rights with relevance for one’s own life. A focus on the modern civic dimension would largely equate ‘Europe’ with ‘European Union’. A European ‘cultural identity’ is independent from these political perceptions and labels the perception that fellow Europeans are closer than non-Europeans because of shared culture, values or history [...] Bruter (2004) finds that ‘cultural’ identifiers have to do with peace, harmony, the fading of historical divisions and co-operation between similar people and cultures, whereas the images of Europe held by ‘civic’ identifiers are related to the experience of open borders, mobility of citizens, common civic area, and economic prosperity” (Heinemann et al., 2020, p. 11).

Thereby, the definition of Europeanness and non-Europeanness have different interpretations across civic and cultural dimensions. As for the civic dimension, Europeanness implies social, political, and economic prosperity and welfare in the region, whereas non-Europeanness connotes the antithesis of such a meaning. As for the cultural dimension, Europeanness excludes culture, values or historical memory that are not shared in the region. Thus, civic and cultural dimensions emanate Europeanness that refers to a harmonious yet exclusive co-existence under the pillars of liberal democracy. As a socially constructed shared identity, Europeanness complements national and regional identities across the continental Europe. Thereby, the engineering of Europeanness sorts national and regional identities into those to be welcomed and those to be rejected.

Officially, the birth of this shared yet exclusive club of Europeanness dates back to 1973. At the Copenhagen Summit, the Heads of State briefly established a basis of European identity by emphasizing that the “the common heritage, interests and special obligations’ are essential for Member States’ foreign policy” (Heinemann et al., 2020, p. 9). Forming the grounds to foster a common Europeanness required the existence of an institutional authority. The increased salience of the EU and its institutions after the European Single Market program and Treaty reforms has established this needed decision-making authority. In light of this, European identity has been invented as the guarantor of the survival and further evolution of the political institutions of the EU (Heinemann et al., 2020, p. 9). Codifying provisions on EU citizenship, initiatives on European integration in the 1990s have delegated the institution of the EU the power to *Europeanize* the policies, politics and politics of Member States. Consequently, the EU project not only politicized European affairs in the national politics of Member States but also ended the “permissive consensus” of passive public approval for the EU among citizens, beginning “constraining dissensus” towards the EU integration process. Thus, after the politicization of the

EU within national political discussions, national political parties have begun actively voicing criticisms regarding institutional competences and policies of the EU without rejecting the project of European integration (Toshkov et al., 2014, pp. 20-21).

Although the social construction of a shared Europeanness appears to be essentially *ad hoc* and ongoing today, the formation of supranational institutions within the EU demonstrates a success. Transferring notable decision-making power from national parliaments towards supranational institutions over time, the EU holds the capacity to shape and secure the project of Europeanness within Member States. In other words, the supranational institutions that cofunction under the EU hold the power to decide who is a member of the exclusive European identity and who is not.

B. Modern Turkish Identity

The emergence of modern Turkish identity dates back to the demise of the Ottoman Empire and the following nation-state formation led by Mustafa Kemal Atatürk. Anatolian hills have a long history with parliamentary governments, dating back to the Ottoman Empire. Such a de-facto parliamentary tradition culminated in a de-jure parliamentary democracy in 1923. The establishment of the republic in 1923, followed by democratization and modernization efforts of Atatürk, emanated a Turkish identity focalized around modernism.

Mustafa Kemal Atatürk's *Kemalist Reformation* has pervaded the identity void left after the collapse of the Ottoman Empire in the 1920s and 1930s. It is known that Atatürk was heavily inspired by prominent intellectuals of the Enlightenment. Having six ideological principles such as *republicanism*, *nationalism*, *secularism*, *statism*, *populism*, and *reformism*, the Kemalist Reformation envisioned to bring the nation-state of Turkey to the level of the advanced states. The execution of this goal included strengthening the new central authority, facilitating nation-state building, secularizing Turkish state and society, fostering political participation, and conceiving changes in the socioeconomic structure of the country (Kili, 1980, p. 384).

Unlike the emergence of European national identities after experiencing decades of Enlightenment and Industrial Revolution, modern Turkishness manifested as a byproduct of Atatürk's concrete efforts to fasten Turkey's progress toward the social and economic values of the West (Kongar, 2016, pp. 240-243). Hence, Atatürk's perception of Westernization constitutes a socioeconomic modernization philosophy that is aware of the distinction between the best of the Western democracy on one hand and the exploitation of peoples propagated by Western ideologies like colonialism on the other. While stemming from ethnic roots, Atatürk's Turkishness is more than just an ethnicity as it corresponds to a model of citizenship. During this period Turkishness was a label adoptable by any individual willing to accept the terms of citizenship, legal and ideological, of the Turkish Republic. In the context of Turkey's independence and modernization maneuvers led by Atatürk, conformity with the ideals and goals of the Turkish republic is a necessary means to become part of modern Turkishness rather than a

mere ethnic lineage. Therefore, modern Turkishness manifested in the late 1920s has been supra-ethnic on paper, which resembles the social construction of Europeanness.

In the post-Atatürk era of Turkey, the continuance of Kemalism has been certainly subjected to interpretation since it is an ideology that invites and harmonizes conflicting political positions from the right and left. Thereby, just as the nature of Kemalism was dynamic and organic, the interpretation of modern Turkishness by politicians also varied over the years after Atatürk. In spite of differences in the interpretation, modern Turkishness committed to secularism, positivism, rationalism, societal modernization, and public sovereignty angled the country and public towards Europeanization in the post-Atatürk era.

In the past decades, the politicization of the Turkish Odyssey for joining the EU has made the fracture between Europeanness and modern Turkishness visible, despite European and Turkish socio-political transformations.

III. Overview of Turkey-EU Relations

In the last 22 years, Turkey-EU relations have transformed tremendously. While Turkey's membership was debated in the region a decade ago, today let alone the possibility of membership, not a trace of cooperation seems to remain. For the scope of analysis, there are four critical phases, which identify and signify the changes in the sociopolitical trends for both Turkey and Europe.

1. *Golden Years (1999-2006)*: Referred to as the *Golden* in academia, these years cover the prime vis-à-vis relations from the declaration of Turkey as a candidate for accession in the European Council in 1999 until the Turkish general elections of 2007. When the AKP rose to power in 2002, it took over the "EU anchor/wind" galvanized by the coalition governments in the 1990s, enacting and implementing new laws that conform to the EU bid (Soler, 2019, p. 4).
2. *Peripeteia (2013)*: Like the peripeteia of the Greek tragedy, this interval marks Turkey's reversal of fortune in terms of the possibility of becoming a EU member after Turkey's incompatibility with the non-unified yet full member of the EU, Cyprus, and the reluctance of new conservative leaders in Germany and France (Soler, 2019, p. 5). Likewise, AKP had not been implementing the integration reforms since 2007. *Peripeteia* emerged during the Gezi Park protests in 2013, which arose as a reaction against the years of societal polarization and authoritarian revanchism instigated by the AKP. The protests mark the explicit manifestation of AKP's authoritarianism, denoting the backsliding of Turkey-EU relations.
3. *Backslide (2016)*: This climactic juncture is identified with the utmost corrosion of liberal democracy in Turkey. Although the EU signed a Refugee Deal with Turkey, it continued to voice criticisms about Turkish policies in human rights, justice, and civil liberties

(Soler, 2019, pp. 5-6). After the coup d'état attempt in 2016, following diplomatic crises and the constitutional referendum concerning the transition to the presidential system prompted *Backslide*. This solidified a paradigm shift in Turkey-EU relations from “a candidate” toward a “close partner.”

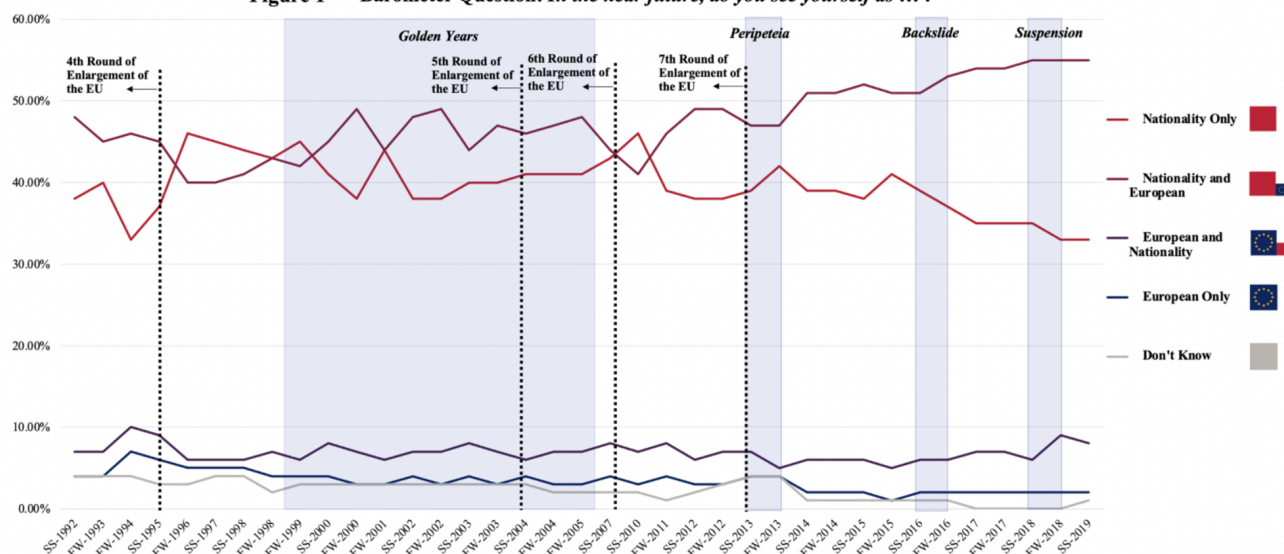
4. *Suspension (2019)*: Although the rifts among the EU and Turkey have been evident in the past, *Suspension* connotes the beginning of the quiescence of the negotiation process. In March 2019, the European Parliament voted to freeze the negotiation process as Member States had lost faith in the willingness of the AKP government to reform, legitimizing the downfall of the bilateral relations after 22 years (Soler, 2019, p. 6).

IV. Reactions Against the Accession Project of Turkish Identity into Europeanness

A. European Standpoint: *Turkey as a partner, not a member*

On the European side of the isle, the Turkish Odyssey for joining the EU has been a matter of concern for two actors: the political elites and the public. As the enlargement of the EU remains an abstraction that is not directly linked to people's daily lives, opinions concerning enlargement are widely constructed by the political elites. Thereby, when the question of Turkey has officially been on the table in the post-1999 period, also known as the *Golden Years*, clear-cut opinions on Turkish membership have emerged among the public. Growing salience of the “Turkish integration project into the EU” among the chambers of European political elites and wider public paradoxically impaired the perceptions towards Turkey. Such a predicament can be explained by the academic sentiment, “when there is controversy and polarization among political parties and elites with respect to certain issues, these issues become more salient among the wider public, and people tend to form clear-cut opinions on them” (Gerhards & Hans, 2011, p. 2). In other words, the salience of Turkishness as part of Europeanness has revealed all the cards of the European political actors on the table, which was not unanimously in favor of Turkey's accession.

European political elites like “the idea” of Turkey's accession, yet although this idea is charming enough to consider a strategic alliance, “the real” Turkey is not charming enough to be allowed into the club. Before Turkey's public image had deteriorated in terms of democratic-backsliding in the early 2010s, the political elite has begun pursuing a strategy towards Turkey that positioned the country “in the limbo between being an insider and an outsider,” adding salt to the wound left by Turkey's multifaceted identity crisis (Aydintasbas, 2018, p. 2). Described as “hypocritical and dysfunctional” by the journalists and scholars, this strategy aimed to incorporate Turkey not as a full member but as “a strategically important partner that would make the EU stronger” by the 22 Member States (Aydintasbas, 2018, p. 4). Polarized debates among the political elites not only contributed to the establishment of this strategy into a status quo with regards to Turkey today, but also negatively impacted the wider European public attitude towards Turkey's integration to the EU.

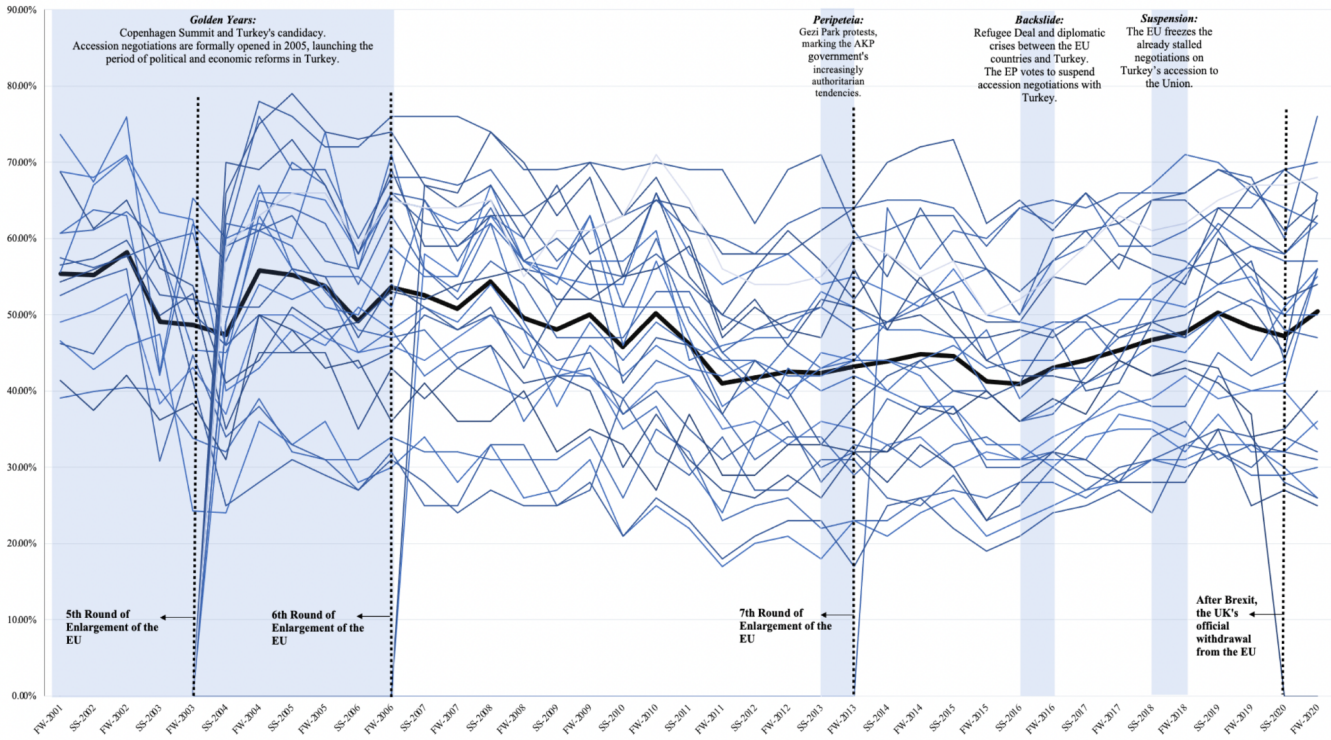
Figure 1 – Barometer Question: *In the near future, do you see yourself as ... ?*

Source: Standard Eurobarometer 37.0–93.2, Spring 1992 – Fall 2020

The wider European public's attitudes towards Turkey's accession to the EU can be assessed by the factors of "the economic benefit of Turkey's EU membership, cultural differences, political ideology and citizens' generalized attitudes towards the EU" (Gerhards & Hans, 2011, p. 3). According to a study conducted by Gerhards and Hans, the more the citizens see the economic benefit of Turkish accession for their country, the less apparent or imagined cultural differences become. Similarly, the more positive view citizens have towards Europe and the EU in general, the more likely they are to support expanding the EU to include Turkey (2011). Thereby, the politicization of Turkey's integration has induced the saliency of Turkey's stigmatization as the "non-European" or "the Oriental-other" from a post-Orientalist reading, which coincided with the EU's "enlargement fatigue".

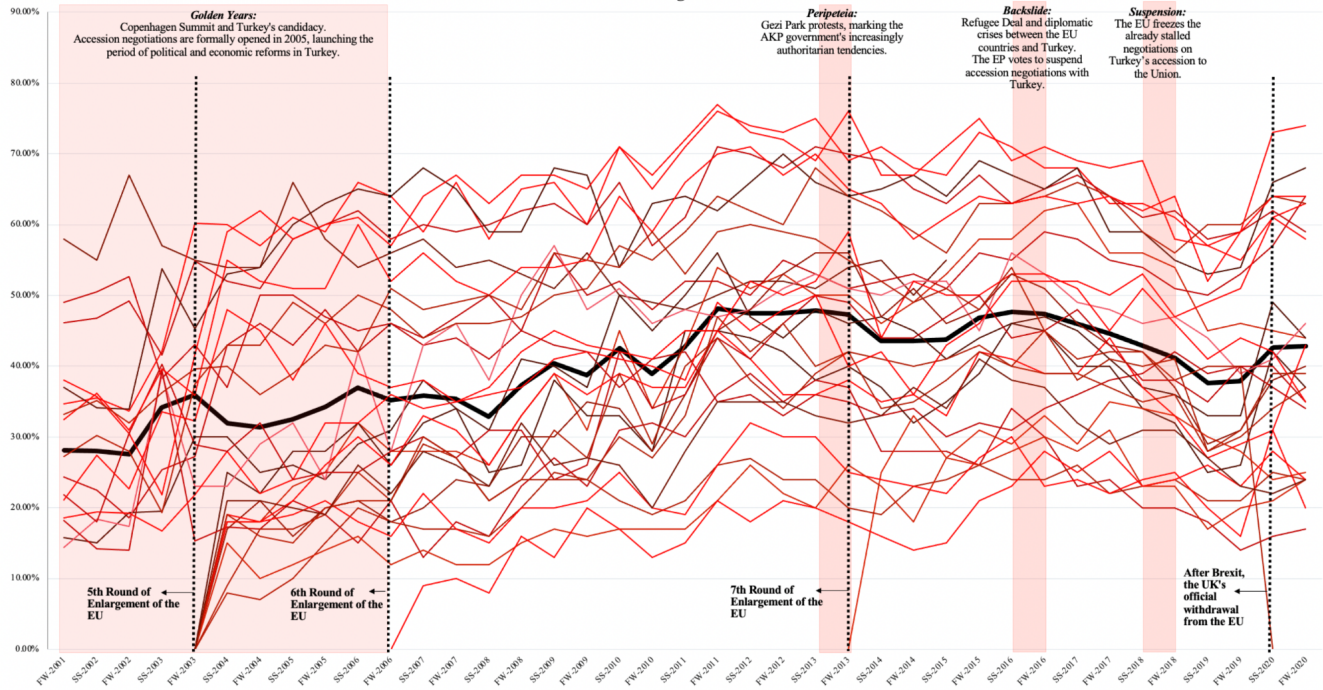
Unlike other candidate countries, the conventional encouragement of the socially engineered European identity stands as a barrier for Turkey. Demonstrating the historical progression of how citizens of the Member States identify themselves, Figure 1 displays that there is an increasing trend for the adoption of a dual identity, Nationality and Europeaness, over the years. During the *Golden Years*, the association with either a mono identity, Nationality Only, or a dual identity, Nationality and Europeaness seems to have fluctuated and become a concern that polarized the Member State citizens. Although the exogenous factors such as several rounds of enlargement of the EU, integration, and Brexit may have an impact on whether the Member State citizens identify themselves with a mono-nationalist identity or a dual-supranational identity, there appears to be a majority of citizens associated with the dual identity in the past couple of years. It appears that the majority of citizens are attracted to the socially constructed "Europeaness." By proliferating "Europeaness", the European political elites hindered the inclusion of the Turkish identity into the club of Europe.

Figure 2 – Barometer Question: *What is your opinion on further enlargement of the EU to include other countries in future years?*
Answer: For



Source: Standard Eurobarometer 37.0–93.2, Spring 1992 – Fall 2020

Figure 3 – Barometer Question: *What is your opinion on further enlargement of the EU to include other countries in future years?*
Answer: Against



Source: Standard Eurobarometer 37.0–93.2, Spring 1992 – Fall 2020

Visualizing the public opinion of the Member States regarding the enlargement of the EU, Figure 2 & 3 exhibit that after the Eastern European enlargement of the EU, the support for enlargement narrowed while the resistance to enlargement broadened. Although this phenomenon has reversed recently due to other exogenous socioeconomic and political factors, the “enlargement fatigue” seems to have exhausted the widening of Europeanness around the timeframe when Turkey has begun democratically-backsliding. These two figures highlight the concurrence of Turkey’s already-present stigmatization as non-European and alienation from the socially constructed European identity. When the European public was trying to internalize and adapt into the EU’s Eastern European enlargement, Turkey proceeded to a different direction of authoritarianism. The amalgamation and concurrence of both phenomena resulted in the European political elites to perceive Turkey as a “significant partner, not a member,” leading to the growth of Turkish-skepticism among the European public.

During the *Golden Years*, the European political intelligentsia fueled the Pandora’s box to be opened with regards to Turkey’s integration to the EU, which was politicized after the failure of the Annan Plan in 2004 and the rise of Merkel in Germany and Sarkozy in France. The opening of this symbolic Pandora’s box among the European public “revealed” distinctive hindrances, which cannot be explained by Turkey’s democracy deficit, to fully adhere to Europeanness. On the other hand, Turkey’s evident digression from the track of liberal democracy and the attempts to transform the modern Turkish identity by the AKP solidified the Eurocentric-Orientalist prospects in terms of Turkey’s exclusion from the club. Thereby, the Turkish Odyssey for joining the EU is left halfway through, leading to Turkey’s further isolation after the European discourse switched from “a full membership” to “a significant ally,” and the AKP and Erdoğan intended to conceive a different image of Turkishness.

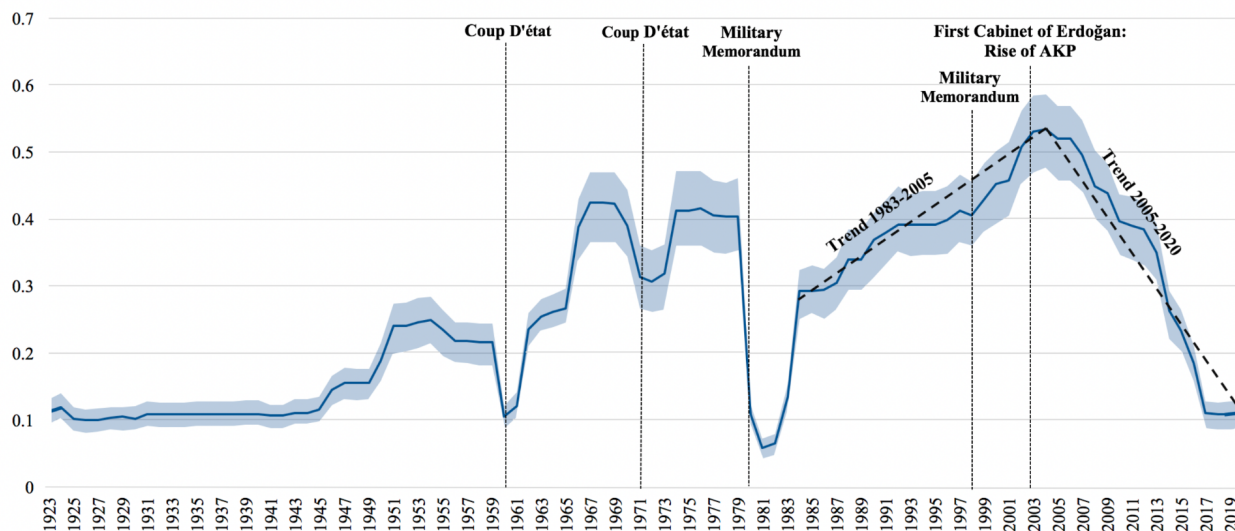
B. Surge of “New Turkey”: *U-turn on Turkish Democracy*

On the Turkish side of the isle, their Odyssey was caught by the storm of Turkish-Islamic populism, entailing the erosion of liberal democracy within the country. Coming to power in 2002, Recep Tayyip Erdoğan’s AKP had aspired to prove itself as “conservative-democrats” to both Turkish seculars and the Western world, therefore the party and Erdoğan started propagandizing the discourse of “New Turkey.” The fantasy of “New Turkey” brought the elimination of tutelages from “Old Turkey” and the fusion of powers concentrated at Erdoğan, inclining towards authoritarianism. Unlike “Old Turkey,” which had been identified with Kemalism, “New Turkey” invented a metaphysical, neo-Ottoman myth for Turkey. This myth relied on the rhetoric by which the AKP “vilified the opposition, ‘old elites,’ and the existing political system, often by exaggerating and distorting the truth, if not by fabricating outright lies” (Somer, 2019, p. 56). Thus, “New Turkey” has become the embodiment of Erdoğan’s Turkish-Islamic populist discourse, propagating the U-turn on liberal democracy.

In the early years of AKP and the last years of the “Old Turkey,” the intelligentsia and AKP government heavily criticized and dissected Kemalism (Aytürk, 2022, pp. 23-51). The cleansing of Kemalism from government institutions by the authoritarian-revanchist attitudes of the AKP government harmed the democratic checks and balances of the country. Yet, the deconstruction of Kemalism was propagandized as a process of democratization with the EU anchor/wind in favor of the government, resulting in unchecked and corrupt AKP power in practice (Aytürk, 2022, pp. 23-51).

Thus, as the antithesis of Kemalism, the storm of Turkish-Islamic populism has become the cornerstone of the mythical “New Turkey.” This right-wing populism subverted the principal-agent model theorized for liberal democracies, shrinking the capacity of the principal voters’ ability to reward and punish the political agents and magnifying the roles of the president as the sole principal with no need of accountability and transparency in the democratic mechanisms. Erdoğan’s rhetoric “had a chilling and Machiavellian undercurrent of politics understood as pure power, where ‘the power and capacity to determine a friend and an enemy overlaps with the legitimate authority to establish a new legal order’ à la Carl Schmitt” (Somer, 2019, p. 52). In light of this, the “New Turkey” had been a facade to legitimize the concentration of absolute power in one man, polarizing the country with right-wing authoritarianism and eroding liberal democracy. Thereby, the democratic notion of “Erdoğan for Turkey” metamorphosed to the illiberal-authoritarian perception of “Erdoğan is Turkey” within the ruling party AKP.

Figure 4 – Liberal Democracy Index: Turkey



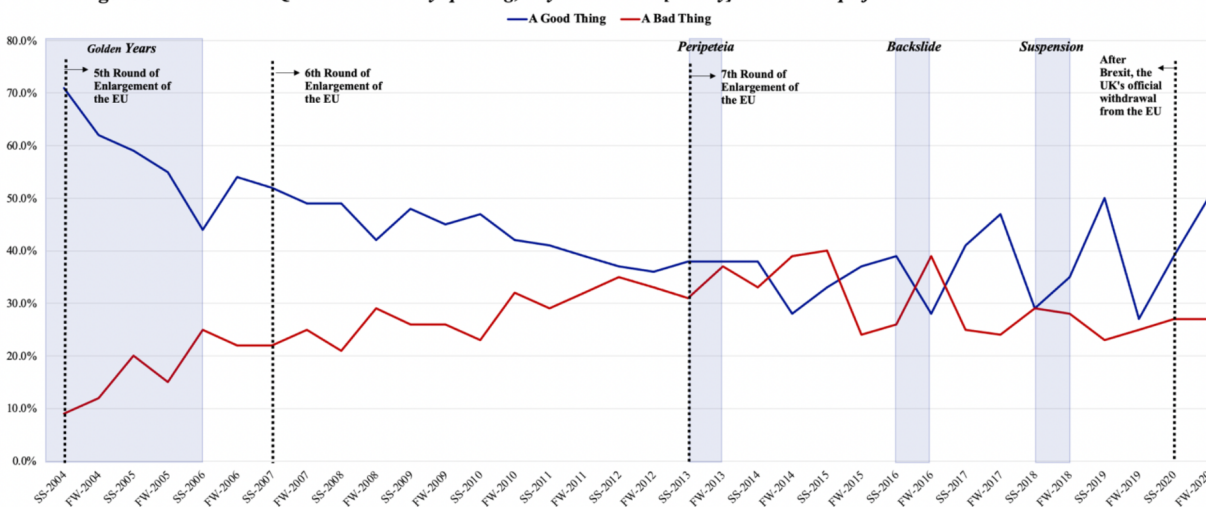
Source: Varieties of Democracy Project, Dataset v11.1

“Polarizing-cum-transformative politics and the dynamics of the resulting pernicious polarization” contributed to the AKP’s and Turkey’s authoritarian transformation (Somer, 2019, p. 55). Exploitation of such polarization and political dynamics emanated the AKP’s and

Erdoğan’s right-wing populist discourse. This discourse of right-wing authoritarianism feeds from an “us-versus-them” rhetoric, which polarizes society and renders the country’s liberal democracy track. Demarcating the historical trend of liberal democracy in Turkey, Figure 4 elucidates the deterioration of liberal democracy after the country was concretely intended to be entrenched with the authoritarian storm of Turkish-Islamic populism. Dropping recently to the liberal democracy index levels of the single-party period (1923-1946), Turkey has undergone a degradation in its civil liberties, accountability, and transparency as seen on Figure 4. Businesspeople, journalists, and opposition politicians have not only faced unlawful trials but also have been jailed. Indeed, Turkey has jailed the second-largest number of journalists (47) (Ozoglu, 2019). Such a profound demeaning in the civil liberties and freedom downgraded liberal democracy, disrupting the separation of the legislative, executive and judicial with an unchecked AKP power. Positioning himself as “the man of the nation” through his “charisma,” Erdoğan’s divisive rhetoric has helped him consolidate his power under a polarized nation. By framing the politics “as a battle between those defending their privileges in the “old Turkey” and those supporting a ‘new Turkey,’ similarly polarizing society in a trimodal fashion” (Somer, 2019, p. 53), Erdoğan managed to indoctrinate the idea that “Erdoğan is Turkey”.

The storm of right-wing Turkish-Islamic populism has challenged the modern Turkish identity constructed by Kemalism, thereby compelling the society to fracture, liberal values to languish, and institutions to decay. Growing authoritarianism in the country and rejection of the modern “Turkishness” committed to secularism, positivism, rationalism, societal modernization, and, especially, liberal democracy drifted the country away from integrating into the European identity, halting the EU bid.

Figure 5 – Barometer Question: *Generally speaking, do you think that [Turkey]'s membership of the EU would be...?*



Source: Standard Eurobarometer 37.0–93.2, Spring 1992 – Fall 2020

Evaluating Turkish citizens' opinion regarding Turkey's accession to the EU, Figure 5 points out the significant transformation of their thoughts over the years. As a result of the propagandization of "us-versus-them" rhetoric and its byproduct of Western-skepticism, the subject of integration became politicized. The subject of the EU accession, thus, became another domain for Turkish society to be polarized. The recent public opinion is close to a majority in support of EU membership, which may be explained by the hunger for liberal democracy and economic prosperity felt by the citizens and the exhausting societal polarization. The penetration of right-wing authoritarianism crumbled Turkey's liberal democracy track and, thus, altered the chemistry of the country, curbing the historically high public demand for EU membership.

V. Conclusion

Engineered "Europeanness" and modern-unitarian "Turkishness" may rationalize the setting and circumstances in which Turkey's accession process to the EU has been negotiated. Over recent decades, growing salience of Turkish membership and simultaneous downfall of the Turkish liberal democracy resulted in different reactions in the European and Turkish standing points.

The European answer to "Turkey in the EU" happened to be the confinement of Turkey in the political debates, evoking "perceived" barriers against Turkey's membership other than the country's democracy deficit. Despite the European public's slightly more negative attitudes towards Turkey, European political elites cast the country in limbo between being an insider and an outsider. Following Turkey's bruised liberal democracy, the European political elites and public seem to agree on associating Turkey with "non-Europeanness." This means that the political elite transformed their rhetoric regarding their relations with Turkey from "Turkey's membership to the EU" to "Turkey as a necessary ally/other".

Undoubtedly, Turkey mismanaged the candidacy process. The AKP and Erdoğan intended to transform the country both sociologically and politically, irritating fault lines among Ankara and various European capitals and undermining the historically achieved relations. The Turkish-Islamic populism has been polarizing Turkish society into camps, thus allowing the AKP and Erdoğan to consolidate their electoral base and power. Although Erdoğan came to power following the demand for democratization reforms and the EU anchor/wind that was storming the politics in the 2000s, his vision of "New Turkey" has renounced both liberal democratization and EU integration.

In the bigger picture concerning the EU enlargement, Turkey and the EU show signs of bilateral exhaustion as an aftermath of cross-cutting identity politics that have been predominant in the political discussions of the new millennia. Complementing and feeding each other, the Turkish skepticism intensified by Eurocentric-Orientalist attitudes and Western-skepticism nurtured by Erdoğan's Turkish-Islamic, mythic imagination for populism impede bilateral

relations. To build momentum in Turkey's relations with Europe and ensure mutual cooperation in the future, both Turkey and the EU have to compromise and reconcile.

Therefore, the EU has to self-evaluate its mechanisms to dialogue its public and Ankara on matters of civil liberties. In return, Turkey must overcome democratic-backsliding by awakening from mythic abstractions. Ultimately, it takes two to cooperate, yet whether Turkey is going to take a step forward to further authoritarianism or to democratization is going to determine the future of the cooperation.

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Nationalism and Ethnic Conflict in the Fergana Valley of Kyrgyzstan

Mané Berikyan and Aurora Cody

Executive Summary

A country once revered as an “island of democracy” in an otherwise authoritarian region, Kyrgyzstan now grapples with navigating the recent aftermath of a Soviet legacy and the pursuit of self-interest in a 21st century context. Despite having undergone three revolutions and significant democratic progress over the last three decades, Kyrgyzstan’s sociopolitical landscape is riddled with modern challenges and lingering remnants of a non-democratic past. A cyclical history of ongoing ethnic violence in the Fergana Valley and the recent rise in nationalism remain glaring stains on Kyrgyzstan’s human rights record.

In order to address underlying ethnic tensions and avoid another outbreak of ethnic violence in the Fergana Valley, promote reconciliation and ease sensitivity surrounding the issue, the Kyrgyz government must pursue justice for the case of Azimjan Askarov by concluding a comprehensive investigation and holding guilty parties accountable. Additionally, the Japarov government and future administrations must immediately end arbitrary detentions, torture and violations of civil liberties at the local level in accordance with the ruling of the UN Special Rapporteur on Human Rights, re-asses all cases relating to the Osh 2010 events, and promote transparency and representation in the appointment of local authorities.

In order to mitigate ongoing violence at the Kyrgyzstan-Tajikistan border, the Kyrgyz government must take steps to demilitarize the situation at the border and defer power to civilians and local authorities. By allowing room for civil society and human rights organizations to function within exclaves of Tajikistan along the border and surrounding regions, the government can promote local cooperation on land, water and pasture management in the short-run and promote future peace in the long-run.

Background

Introduction to Kyrgyzstan and the Fergana Valley

The Fergana Valley of Central Asia is divided between the three former Soviet Republics of Kyrgyzstan, Uzbekistan, and Tajikistan. The borders were largely irrelevant during the seventy years of the Soviet era, as the ethnic Kyrgyz, Uzbeks, and Tajiks “became accustomed to their ability to cross the inter-Soviet Socialist Republic (SSR), as the [Fergana] Valley lacked the border controls present in other areas of the Soviet Union.”¹ With the collapse of the Soviet Union in 1991, the borders drawn arbitrarily from Moscow did not reflect the ethnic makeup on

¹Liam Abbate. "The Kyrgyzstan-Uzbekistan Border: A Legacy of Soviet Imperialism." *Undergraduate Journal of Global Citizenship* 4, no. 1 (2021): 4, 2.

the ground, leading to a “mismatch of residency and identity” in the Fergana Valley.² This mismatch of ethnicities within each new Republic led to poorly-defined borders and “the problems of enclaves and exclaves” — there are five Uzbek and two Tajik exclaves on Kyrgyz territory.³ The most populous city in southern Kyrgyzstan is Osh, and the census in 2009 “showed Uzbeks to have almost equal numbers with Kyrgyz in Osh city and to be a substantial minority in the two main southern regions.”⁴

Kyrgyzstan’s mountainous geography has led to differing identities in different parts of the country. Kyrgyzstan is bisected by the Fergana spur of the Tien Shan mountains—the mountains split the country into a northern and southern half. Although the divide is not huge, this physical separation has led to a north-south split within Kyrgyzstan—southern Kyrgyz were a part of the Kokand Khanate before the Russian Empire, and are used to living with ethnic Uzbeks and Tajiks, and reflect more of the Central Asian traditions.⁵ Northern Kyrgyz, however, have a more nomadic culture, and were not as influenced by the Kokand Khanate.⁶ Northern Kyrgyz are also considered more Russified than southern Kyrgyz, since Russian-language channels are more readily available in the north due to the proximity to Russia, and some state-run media channels do not even reach the 650 kilometers from the capital, Bishkek, to the southern city of Osh, meaning that southern Kyrgyz and ethnic Uzbeks rely more on media from Uzbekistan.⁷

The north-south split has become a problem in the post-Soviet era. Under the USSR, “regional distinctions did not prove contentious...when the Communist-run planned economy provided for a relatively even standard of living”.⁸ Since the collapse of the Soviet Union, the once economically prosperous Fergana Valley has been hit by “falling commodity prices of goods produced in Central Asia including cotton, wheat, oil and gas,” which has been “compounded by growing rates of poverty and unemployment”.⁹ Increasingly frequent conflicts

²*Ibid.*

³Anchita Borthakur. “An Analysis of the Conflict in the Ferghana Valley.” *Asian Affairs* 48, no. 2 (2017): 334. <https://doi.org/10.1080/03068374.2017.1313591>.

⁴“Kyrgyzstan: Widening Ethnic Divisions in the South,” 2012, p. ii

⁵Bruce Pannier. “Future Kyrgyz Government Faces Traditional North-South Divide.” RadioFreeEurope/RadioLiberty. Future Kyrgyz Government Faces Traditional North-South Divide, April 27, 2010. https://www.rferl.org/a/Future_Kyrgyz_Government_Faces_Traditional_NorthSouth_Divide/2025131.html.

⁶*Ibid.*

⁷*Ibid.*

⁸“Kyrgyzstan: North-South Split Poses Political Risk - Poll.” Eurasianet, October 8, 2010. <https://eurasianet.org/kyrgyzstan-north-south-split-poses-political-risk-poll>.

⁹“Ferghana Valley Five Year Humanitarian Trends Assessment - Iris.” Inter-agency Regional Analysis Network France, March 2017, 4. <https://www.iris-france.org/wp-content/uploads/2017/03/Ferghana-Valley-Report.pdf>.

between Kyrgyzstan, Uzbekistan, and Tajikistan over natural resources, especially over water infrastructure and pastures, have taken on ethnic undertones, becoming increasingly intractable.

Kyrgyzstan has had a tumultuous political climate since attaining independence in 1991. Consistent with many other post-Soviet states, the struggle to redefine a Kyrgyz national identity separate from the Soviet Union has bred a type of “nationalism [which] leads to a politics of cultural and linguistic exclusion, generates violent, bottom-up mobilisation, and creates conditions for ethnic tensions.”¹⁰ This is especially difficult in Kyrgyzstan, considering the territorial ambiguity due to the ill-defined borders in the Fergana Valley. Kyrgyzstan has had three revolutions in the three decades post-independence: in 2005, 2010, and most recently in 2020, which brought current President Sadiyr Japarov to power in January 2021.

The Rise in Nationalism

Promoting nationalism is a common tool of nation-building in the post-Soviet sphere as part of efforts by new governments to define an identity outside of the USSR. Kyrgyzstan’s first President after independence, Askar Akayev, attempted to reconcile “the country’s inter-ethnic stability by proclaiming Kyrgyzstan a homeland for all its inhabitants, and special pledges to the titular nationality”.¹¹ Modern Kyrgyz statehood emphasizes “the would-be presence of an ancient people on present territory,” and that this presence “confers contemporary political legitimacy, and implies that the geography of the titular group intersects with that of the state”.¹² The conference of the modern Kyrgyz state with the ancient Kyrgyz people has laid the groundwork for the current ethnic tensions and potential for ostracization of non-ethnic Kyrgyz.

Language politics are an important byproduct of the nationalist shift in Kyrgyz politics. President Japarov is a populist, and has publicly called for the emphasis of the Kyrgyz language over the USSR-standard of Russian. On the Kyrgyz Day of the State Language, President Japarov stated in a speech that “language policy is an integral and priority direction of state policy, which obliges each of us to contribute to the development of the Kyrgyz language and its acquisition of the real status of the state language.”¹³ Since the use of the Russian language was standard across the USSR, and most State business in Kyrgyzstan has been conducted in Russian since independence, language politics did not threaten to cause ethnic conflict. The recent shift to the Kyrgyz language, however, risks alienating the ethnic Uzbeks and Tajiks in the Fergana

¹⁰Erica Marat. “‘We Disputed Every Word’: How Kyrgyzstan’s Moderates Tame Ethnic Nationalism.” *Nations and Nationalism* 22, no. 2 (2016): 306. <https://doi.org/10.1111/nana.12156>.

¹¹Marlène Laruelle. “The Paradigm of Nationalism in Kyrgyzstan. Evolving Narrative, the Sovereignty Issue, and Political Agenda.” *Communist and post-communist studies* 45, no. 1-2 (2012): 40.

¹²*Ibid.*

¹³“Садыр Жапаров Призвал Всех Граждан Развивать Кыргызский Язык, Не Ссылаясь На Якобы Неблагоприятные Условия - Vesti.kg - Новости Кыргызстана.” Главная. Vesti.KG, September 23, 2021. <https://vesti.kg/politika/item/91088-sadyr-zhaparov-prizval-vsekh-grazhdan-razvivat-kyrgyzskij-yazyk-ne-ssylayas-na-yakoby-neblagopriyatnye-usloviya.html>.

Valley of Kyrgyzstan, who are not ethnic Kyrgyz. The Kyrgyz government has also made explicit efforts to suppress minority languages, especially after the ethnic violence in June 2010 in Osh between majority Kyrgyz and minority Uzbeks. Before the clashes, there were “three Uzbek-language TV stations and two Uzbek-language newspapers, all owned by ethnic Uzbeks,” and after the violence one TV station never reopened, and the rest of the outlets were taken over by ethnic Kyrgyz.¹⁴

Contextualizing Ethnic Violence in Osh

A city with a historically large population of ethnic Uzbeks, Osh is widely regarded as Kyrgyzstan’s “capital of the South.” The cultural and political relevance of Osh as the second city is further complicated by its location in the dynamic Fergana Valley and a long history of both peaceful and tumultuous coexistence between diverse populations. According to the 2009 census, 69.2% of the population of Kyrgyzstan is Kyrgyz, and the second largest ethnic group is Uzbeks, making up 14.7% of the population.¹⁵ The overwhelming majority of ethnic Uzbeks are concentrated in the South of the country, in key cities like Osh and Jalal-Abad. However, following the 2010 wave of ethnic violence in Osh, the demographics of the city drastically changed. Although official statistics are unavailable publicly, NGOs like Inter Bilim estimate that the Uzbek population of Osh, over 50% before the 2010 violence, is now under 30%.¹⁶

The location of Osh in the vibrant, ethnically diverse Fergana Valley has long been a breeding ground for tensions and periodic conflict during the Soviet period and beyond. Prior to significant displacement of the Uzbek population in the immediate aftermath of the 2010 events, ethnic Uzbeks made up a sizable majority in Osh and other parts of Southern Kyrgyzstan. The implications of such population dynamics posed unique challenges in a newly independent, post-Soviet Uzbekistan that were not emphasized under the Kyrgyz SSR. Before the collapse of the Soviet Union, Uzbeks, Kyrgyz, Tajiks and other ethnic groups coexisted in the region without artificially imposed borders, and under the greater jurisdiction of Moscow. Therefore, ethnic tensions and subsequent clashes can be characterized in an entirely different lens from the events of 2010.

The history of ethnic violence in Osh can be understood cyclically. Due to the historically large number of ethnic Uzbeks in the region, longstanding ethnic tensions, stereotypes, and other natural byproducts of coexistence between different ethnic groups emerged. The OSCE report¹⁷

¹⁴“Kyrgyzstan: Language and Media Still Sensitive Subjects in Southern Regions.” Eurasianet, October 18, 2012.

<https://eurasianet.org/kyrgyzstan-language-and-media-still-sensitive-subjects-in-southern-regions>.

¹⁵National Statistics Committee of the Kyrgyz Republic, 2009 data, <http://www.stat.kg/rus/part/census.htm>.

¹⁶Gulgaky Mamasalieva. IR 499 Class Interview, Osh, 31 May 2022.

¹⁷“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011.

on the June 2010 events in Southern Kyrgyzstan outlines some of the historically-rooted tensions between Kyrgyz and Uzbeks in the region. Economically, the report highlights the emergence of social stresses between the two groups as industrialization attracted Kyrgyz and Uzbeks alike to industrial centers in the South. With the backdrop of the dissolution of the Soviet Union, economic depression was also a factor in the sociopolitical landscape of Southern Kyrgyzstan. The OSCE reports that during this period, “Competition for economic resources became strong and latent ethnic antagonisms more pronounced, particularly in the south where the Kyrgyz and Uzbek populations were relatively equal in number.”¹⁸ As a result, stereotypes and ethnic perceptions of Uzbeks emerged within the broader context of a Kyrgyz nationalist narrative. Harmful stereotypes characterizing “Uzbeks as sly and cunning, based on trade-based livelihoods...feed into contemporary Kyrgyz resentment at Uzbek success in the south.”¹⁹ Such stereotypes can be understood within the framework of precursors to major historic events such as ethnic conflict and genocide. For instance, the use of the word “sart,” a derogatory term for Uzbeks used in the context of emerging Kyrgyz nationalism, is similarly rooted in this stereotype. In addition to economic tensions, the dominance of Kyrgyz officials in positions of power “resulted in a skewed patronage system” under which loyalties were emphasized, to the detriment of interethnic relations.²⁰ Such factors created a climate conducive to a cycle of ethnic violence in Osh and Southern Kyrgyzstan.

Prior to the first significant outbreak of violence, pre-existing tensions led to periodic escalations. Aziza Abdyrasulova, a leading human rights activist whose work is informed by extensive experience in Osh dealing with issues of interethnic conflict, recounted an earlier case in 1968. According to Abdyrasulova, this instance of violence between Kyrgyz and Uzbek during the Soviet Union was “secret information,” concealed by the Soviet authorities at the time due to lack of open information.²¹ As early as in the Kyrgyz SSR, the issue of interethnic conflict was established as a sensitive topic. A precedent of ethnic violence not being subject to open discussion was set. Similar to violence between Uzbeks and Kyrgyz, “the terminal decline of the Soviet state, the weakening of Moscow’s central power over regions in Central Asia and the introduction of Gorbachev’s reforms”²² created an atmosphere where the lack of rule of law, similar to the future case of 2010, would enable ethnic clashes.

The first openly documented wave of ethnic violence took place in June 1990 across Osh and Uzgen, two population strongholds of ethnic Uzbek minorities in Kyrgyzstan. Riots broke

¹⁸*Ibid*, 9.

¹⁹Jeff Sahadeo. “History and Memory: Implications for Pluralism in Kyrgyzstan and the Ferghana Valley.” Global Centre for Pluralism, April 2015.
https://www.pluralism.ca/wp-content/uploads/2017/10/HistoryMemory_Implications_for_Pluralism_in_Kyrgyzstan_the_the_Ferghana_Valley_Global_Centre_for_Pluralism.pdf.

²⁰*Ibid*.

²¹Aziza Abdyrasulova. IR 499 Class Interview, Bishkek, 28 May 2022.

²²“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011.

out across Osh city and province due to the pre-existing ethnic tensions among groups inhabiting the region. The 1990 riots resulted in 1,200 casualties, including over 300 dead and 462 injured.²³ According to the OSCE report, 3,215 acts of crime were registered, ultimately leading to the conviction of 48 individuals, 80% of them Kyrgyz, “to lengthy prison sentences for the crimes of murder, attempted murder and rape.”²⁴ Due to the highly sensitized nature of the conflict, outbreaks of violence in Osh have come to be regarded in a cyclical nature, as taking place every twenty years because tensions remain unresolved. However, although the 1990s Osh riots can be understood as a precursor to the larger outbreak in 2010, one key difference is emphasized by human rights activists and civil society actors working on the issue: the 1990s riots took place during the time of the Soviet Union, allowing for swift Russian military intervention and therefore lower casualties. The role of an overarching body, namely Soviet authorities, in mitigating ethnic violence and its effects remains a key facet to analysis of ethnic violence in Osh in a post-Soviet context. In response to the ethnic violence in Osh, Kyrgyz authorities formally appealed to the CSTO for assistance. Human Rights Watch reports: “On June 12, two days after the violence erupted, Roza Otunbaeva sent an official request to Russian President Dmitry Medvedev requesting military assistance. Medvedev replied that the violence in Kyrgyzstan was an internal matter and that neither Russia nor the CSTO could intervene.”²⁵

Osh Events of 2010

When discussing the events that occurred in Osh in June of 2010, one word comes up time and time again: “sensitive”. It is therefore a remarkable achievement that a reliable report was published with the acquiescence of the Kyrgyz government detailing the events. The most definitive account of the June 2010 events was authored by Dr. Kimmo Kiljunen, the Special Representative for Central Asia at the OSCE Parliamentary Assembly under the auspices of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan.²⁶ The report provides statistics on the toll of the conflict and concludes that “the events resulted in significant loss of life and injury, of which the majority of victims were ethnic Uzbeks.”²⁷ The conflict occurred between June 10 and 14 left about 470 people dead, 400,000 displaced, and 2,800 properties damaged.²⁸ The timeline of events and factors that led to such devastation deserve close examination. Ultimately, there were social, political, and economic factors that can be identified as variables that combined to produce a conflict.

²³*Ibid.*

²⁴*Ibid.*

²⁵“Where Is the Justice?": Interethnic Violence in Southern Kyrgyzstan and Its Aftermath,” Human Rights Watch, August 16, 2010, <https://www.hrw.org/report/2010/08/16/where-justice/interethnic-violence-southern-kyrgyzstan-and-its-aftermath#>.

²⁶“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011.

²⁷*Ibid.*, ii.

²⁸*Ibid.*

The Osh 2010 events were an ethnic conflict that caused immense pain on both sides, but disproportionality affected Uzbeks. Human rights defender Aziza Abdyrasulova described the conflict as pitting “brother against brother,”²⁹ which is indicative of the fact that Uzbeks and Kyrgyz have a great deal in common. Most people from both ethnicities are Sunni Muslims, the Uzbek and Kyrgyz languages are both similar Turkic languages, and they inhabit a common region. Several discussions highlighted the frequent stereotypes comparing Uzbeks and Kyrgyz, such as the idea that while the Kyrgyz are a historically nomadic people, Uzbeks tend to be urban and entrepreneurial. It is true that “Kyrgyz are dominant in public service positions, including in the police and other security agencies, the prosecution services and the judiciary.”³⁰ As a result, there was a factor of the Kyrgyz taking advantage of the government resources they could access. The extent of security force involvement in the conflict remains unclear, but is often characterized as falling between complicity or indifference. On the complicity end, there were reports that “crowds of attackers seized firearms and ammunition from the military and police in circumstances largely unopposed by troops or officers. Armoured Personnel Carriers (APCs) were also surrendered.”³¹ This situation clearly demonstrates the lack of either state capacity or will to quell violence and keep the peace. “The military personnel under the command of the Provisional Government numbered 2,000. The KIC is of the opinion that had those troops been properly instructed and deployed, it would have been possible to prevent or stop the violence.”³² Given that security services were, and still remain, dominated by Kyrgyz, this further highlights the ethnic dimension of the conflict and the challenges associated with keeping the peace if the people tasked with doing so are uninterested in doing so, or, worse, assisting with the violence.

The main precipitating driver of this conflict was the political landscape in Kyrgyzstan at the time, in particular the turmoil over top leadership of the country. Academic literature suggests that “structural causes—political elite fragmentation and a civil society that can readily be mobilized for both liberal and illiberal ends—are behind the June 2010 ethnic violence.”³³ The President of Kyrgyzstan, Kurmanbek Bakiyev, was ousted in April 2010, which led to a power vacuum across the country and subsequent lack of rule of law. Political fragmentation ensued as all major actors sought to secure their interests and ensure the new cadre of people in power would act in their favor. Although alarm around Uzbek separatism in the South, such as in the isolated case of Kadyrzhan Batyrov, and a harmful perception of Uzbeks as a fifth column aiming to undermine Kyrgyz national interests played a role in tensions, the absence of rule of law and power vacuum were the main factors exploited during the 2010 violence.³⁴ Furthermore,

²⁹Aziza Abdyrasulova. IR 499 Class Interview, Bishkek, 28 May 2022.

³⁰“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011, 20.

³¹*Ibid*, ii.

³²*Ibid*, iv.

³³Eric McGlinchey. “Exploring Regime Instability and Ethnic Violence in Kyrgyzstan.” *Asia policy*, no. 12 (2011): 2.

³⁴“Kyrgyzstan Angered by Ethnic Uzbek Leader's Speech,” *Eurasianet*, September 22, 2016,

nationalism was also employed as a method of consolidating political power,³⁵ which heightened ethnic tensions. Southern Kyrgyz felt threatened by the chaos that resulted and Bakiyev, who was a Southern Kyrgyz himself, fled to his hometown near Jalalabad. In May in Jalalabad, “Bakiyev supporters occupied an administrative building before being expelled by force by a group of activists largely composed of members of Rodina, an ethnically Uzbek-based political party suppressed under the Bakiyev regime. Later the same day, Bakiyev’s residence and a number of other houses owned by ethnic Kyrgyz were set alight, evidently by ethnic Uzbeks. Some officials in the region hold that this event was the catalyst that ignited the interethnic violence in Osh a month afterwards, by arousing Kyrgyz fears of an Uzbek uprising in retaliation for the riots in 1990.”³⁶

This series of events is a salient example of the downside of Kyrgyzstan’s relatively open culture and landscape for civil society. On one hand, Kyrgyz democracy leaves space for civil society groups like Rodina to operate. On the other, it grants enough executive power to the president to repress these groups, which then leads to civil society groups such as Rodina to undertake harmful actions, eventually leading to backlash then open conflict. This case also demonstrates the use of civil society for harmful means. This process was described to us by an activist at Interbilim who stated that Edil Baisalov threatened their organization with competing NGOs, essentially weaponizing the open space for civil society into a tool used for political disputes. Power struggles among the political elite and the distorted use of civil society both occurred in April and May in the run-up to the conflict. The events in June 2010 were directly set off by two main situations that escalated quickly. First, “a brawl between Uzbeks and Kyrgyz at a casino,” followed by “the alleged rape of Kyrgyz women at a university dormitory.”³⁷ Widespread violence ensued.

Economic factors also played a role in sparking the conflict. In 2009, the economic situation of Kyrgyzstan was deteriorating due to “mismanagement as well as low global prices for gold, Kyrgyzstan’s main export commodity.”³⁸ A series of price hikes in early 2010 on utilities³⁹ also contributed to Bakiev’s removal. Economic hardship sets the conditions for political turmoil and conflict. The Kyrgyz perception of Uzbek economic prosperity, perhaps at Kyrgyzstan’s expense, also fueled resentment that eventually boiled over.

<https://eurasianet.org/kyrgyzstan-angered-ethnic-uzbek-leaders-speech>.

³⁵Reuel R Hanks. “Crisis in Kyrgyzstan: Conundrums of Ethnic Conflict, National Identity and State Cohesion.” *Journal of Balkan and Near Eastern studies* 13, no. 2 (2011): 177.

³⁶*Ibid*, 180.

³⁷Eric McGlinchey. “Exploring Regime Instability and Ethnic Violence in Kyrgyzstan.” *Asia policy*, no. 12 (2011): 2.

³⁸Shirin Akiner. “Kyrgyzstan 2010: Conflict and Context - Silk Road Studies,” July 2016, 6, http://silkroadstudies.org/resources/2016-Akiner-Kyrgyzstan_2010-Conflict-Context.pdf.

³⁹*Ibid*, 6.

Present-Day

The tragedy did not stop when the conflict stopped. In fact, much of the injustice of the June 2010 events lingers to this day because there were never any independent judicial investigations. There was a significant perversion of justice, to include selective prosecutions of Uzbeks, intimidation of lawyers defending Uzbeks, and acts of torture. “Criminal investigations and trials which have resulted from the June events have been marked by breaches of the ICCPR fair trial rights.”⁴⁰

Historical Similarities and Differences in Response

The government response to the 1990 and 2010 instances of ethnic violence were similar in some aspects and different in others. After both conflicts, the government created new institutions (and new bureaucracy) to address deep rooted issues. After 1990, the Kyrgyz federal government opened an Uzbek National Cultural Centre (UNCC). “The centres became the main outlet for Uzbek political participation and the expression of minority demands.”⁴¹ Yet, Uzbek political participation remained low and the reemergence of violence in 2010 is a strong indicator that the UNCC was not sufficient to address the issues faced by the Uzbek minority living in Kyrgyz society. The UNCC is similar to an institution set up in the aftermath of 2010, coined the State Agency for Local Self-Government and Interethnic Relations (GAMSUMO).⁴² GAMSUMO was designed to provide early warning of any ethnic conflict, but reporting indicates that it is ineffective and led by incompetent leadership.

Lack of accountability is a major difference between the 2010 conflict and the clashes from the 1990s. In the 1990s, Soviet forces were able to quell the violence and “at the end of the crisis over one thousand troops stayed for six months to keep peace and allow investigations to take place. Proper prosecution and fair trials followed.”⁴³ In practically every discussion with activists and citizens of Kyrgyzstan, it becomes apparent that the lack of independent investigations and fair trials is a key reason why the events of 2010 are still such a sensitive topic and also why ethnic tensions in Osh remain somewhat elevated. Without a basis of accountability and justice, it becomes very difficult to move forward on any of the other pressing issues identified by the UN such as “such as the underrepresentation of minorities; cases of claimed unfair treatment by law enforcement and in the provision of public services; and issues relating to resource management.”⁴⁴

⁴⁰“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011, iii.

⁴¹*Ibid*, 17.

⁴²Abdukhaliyov, Sardorbek. “Political Crisis: Interethnic Relations Must Be Protected.” The Foreign Policy Centre, February 28, 2021. <https://fpc.org.uk/political-crisis-interethnic-relations-must-be-protected/>.

⁴³“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011, 10.

⁴⁴Abdukhaliyov, Sardorbek. “Political Crisis: Interethnic Relations Must Be Protected.” The Foreign Policy Centre, February 28, 2021.

The Case of Azimjan Askarov

No case is more illustrative of this phenomenon than that of Azimjan Askarov. Azimjan Askarov was an ethnically Uzbek citizen of Kyrgyzstan and human rights defender who was arrested two days into the 2010 conflict. While Askarov did not focus primarily on Uzbek issues before the conflict, the chaos and breakdown in rule of law created cover for authorities to detain him. He was accused of “inciting ethnic hatred and murdering a policeman,”⁴⁵ and subsequently tortured and sentenced to life imprisonment without a fair trial. “In 2016, the UN Human Rights Committee found that Askarov had been arbitrarily detained and tortured, and called for Askarov’s immediate release and the quashing of his conviction.”⁴⁶ Kyrgyzstan did not comply with the ruling, therefore violating its international legal obligations. The case even promoted President Atambayev to manipulate the supremacy clause of the Kyrgyz constitution to ensure that international law was not above domestic law in Kyrgyzstan and “to prevent the UN’s Human Rights Committee (OHCHR) from intervening in Kyrgyzstan’s internal affairs.”⁴⁷

This series of events weakened the human rights agreements and covenants in force in Kyrgyzstan. The Kyrgyz government stood firm on keeping Askarov in prison, which left the government at severe loggerheads with international organizations and Western embassies. Many western diplomats express regret how the Askarov case was handled. Western diplomats were simultaneously vocal about their opposition to his imprisonment while also prioritizing engagement and economic ties with the Kyrgyz government with the goal of increased leverage. Charles Garrett, the British Ambassador to the Kyrgyz Republic, stated that “In hindsight, some argue that the West shouted too loudly, so it increased the pressure on the courts too much and pushed them into a defensive position.”⁴⁸ Raymonds Vingris, a representative of the Delegation of the EU in Kyrgyzstan, explained that “the government wouldn’t release him, because even if they did, it would be admitting fault and putting their legitimacy in question.”⁴⁹ The Kyrgyz government also used the risk of another ethnic conflict to justify keeping Askarov in prison, although the blatant lack of accountability is what is most likely to provoke another ethnic conflict. Askarov died in the summer of 2020 after being jailed for 10 years. In an interview with Askarov’s lawyer, Valerian Vakhitov, he described Askarov as a uniquely impressive person whose “spirit was undefeated” and continued on with his human rights work despite being condemned to a life sentence.⁵⁰

<https://fpc.org.uk/political-crisis-interethnic-relations-must-be-protected/>.

⁴⁵*Last Chance for Justice*, 2021. <https://www.imdb.com/title/tt14182544/>.

⁴⁶“Kyrgyzstan: Justice Elusive 10 Years On.” Human Rights Watch, September 6, 2021. <https://www.hrw.org/news/2020/06/09/kyrgyzstan-justice-elusive-10-years>.

⁴⁷“Kyrgyzstan: Nations in Transit 2017 Country Report.” Freedom House. Accessed June 4, 2022. <https://freedomhouse.org/country/kyrgyzstan/nations-transit/2017>.

⁴⁸Charles Garrett. IR 499 Class Interview, Bishkek, 26 May 2022.

⁴⁹Raymonds Vingris. IR 499 Class Interview, Bishkek, 18 May 2022.

⁵⁰Valerian Vakhitov. IR 499 Class Interview, Osh, 2 June 2022.

Tajikistan-Kyrgyzstan Border Conflict

In addition to the issue of disputed Soviet-era borders, resource access has been a historically contentious source of tensions along the border between Kyrgyzstan and Tajikistan. The allocation of water resources, land and pastures was a source of disputes even during the Soviet era, under the jurisdiction of a larger administrative body. These tensions came to light most recently during the April 2021 border conflict between Kyrgyzstan and Tajikistan, which remains highly sensitive, unresolved, and further complicated by factors of Kyrgyz nationalism, negative sentiment towards Tajiks, and “decades of deteriorating relations” between the two republics.⁵¹ The conflict first broke out on April 28, 2021, when Tajik authorities installed surveillance cameras at a water reservoir near Vorukh, a Soviet-era Tajik enclave surrounded by Kyrgyzstan.⁵² A local-level conflict over access to water resources ensued, featuring “fist-fights and stone-throwing,” quickly escalating “to gunfire and unconfirmed reports of heavy machine guns and mortars,” and militarization across the border by the Kyrgyz and Tajik sides.⁵³ As a result, 36 Kyrgyz and at least 16 Tajiks died, over 200 were injured, and approximately 65,000 people displaced.⁵⁴ According to RFE/RL Kyrgyzstan, “78 private homes, two schools, one medical point, two border checkpoints, a kindergarten, 10 gasoline stations, a police building, and eight shops were destroyed in Kyrgyzstan’s southwestern region of Batken.”⁵⁵ Meanwhile, statistics from the Tajik side are much more difficult to obtain due to the authoritarian government in place.

Currently, the situation at the border remains tense, highly militarized, and speculations of future violence prevail. Conflict surrounding land, pastures and water which contributed to the initial outbreak of violence are not resolved, and no effective management systems have been implemented to prevent future violence. To this day, “At least 11 citizens of the Kyrgyz Republic detained on the Kyrgyz-Tajik border are kept in prisons of the Republic of Tajikistan in inhuman conditions,”⁵⁶ a claim corroborated by Bakyt Rysbekov, the Director of the National Center for

⁵¹“What Drove the Worst Kyrgyz-Tajik Conflict in Years?” The Third Pole, May 28, 2021. <https://www.thethirdpole.net/en/regional-cooperation/climate-nationalism-unresolved-borders-and-the-pandemic-drove-kyrgyz-tajik-conflict/>.

⁵²*Ibid.*

⁵³Bruce Pannier. “Conflict on the Kyrgyz-Tajik Border Moves from Sticks and Stones to Bullets and Bombs.” RadioFreeEurope/RadioLiberty. Conflict On The Kyrgyz-Tajik Border Moves From Sticks And Stones To Bullets And Bombs, April 30, 2021. <https://www.rferl.org/a/kyrgyzstan-tajikistan-deadly-border-fighting-analysis/31231165.html>.

⁵⁴Catherine Putz. “Violent Clashes at the Troublesome Kyrgyzstan-Tajikistan Border .” The Diplomat, May 4, 2021. <https://thediplomat.com/2021/05/violent-clashes-at-the-troublesome-kyrgyzstan-tajikistan-border/>.

⁵⁵<https://www.rferl.org/a/kyrgyzstan-tajikistan-border-deadly-clashes-withdrawal/31235306.html>

⁵⁶Aida Dzhumashova. “Detained Citizens of Kyrgyzstan Held in Inhuman Conditions in Tajikistan.” 24.kg, June 1, 2022. https://24.kg/english/235497_Detained_citizens_of_Kyrgyzstan_held_in_inhuman_conditions_in_Tajikistan/.

Prevention of Torture.⁵⁷ Prisoners face life sentences, closed trials, arbitrary detention and inhumane conditions, including the death of a 68 year-old Kyrgyz national who died in Tajik prison.⁵⁸ Moreover, human rights activist Gulgaky Mamasalieva from InterBilim described her experiences being arrested by Tajik forces.⁵⁹ Like many others, she unknowingly wandered into a Tajik enclave, was detained, extorted and had her life threatened by Tajik authorities. Such cases remain common at the highly militarized border, and shootings, including one as recent as June 3, 2022, which left two Kyrgyz servicemen wounded, regularly disrupt the precarious peace.

Policy Alternatives

In order to best address the problems outlined above, we have identified many potential policy courses of action in order to address the symptoms in the short-term, and the root causes of the problems in the long-term.

Investigation of 2010 Ethnic Violence in Osh

As aptly put by civil society activist Aziza Abdyrasulova, “When there is no justice, there will be repetition.”⁶⁰ The lack of accountability for perpetrators of violence during the 2010 events prevents justice for the victims, who are predominantly ethnic Uzbeks. This lingering discontent threatens the stability of the region, and could cause another ethnic conflict if not addressed due to the sensitive and highly contentious nature of discussions surrounding the issue. In order to avoid a repetition of violence, there must be an investigation into the conflict, punishment for the perpetrators, and justice for the victims of the 2010 ethnic violence in Osh.

There has been no justice in Askarov’s case, and the events are a stain on Kyrgyzstan’s human rights record. Accountability is of the utmost importance, not only for Askarov’s family and those who knew him, but to ensure that human rights violations to include torture and arbitrary detention are not normalized or accepted in Kyrgyzstan. A lack of accountability can create a permissive environment for continued human rights violations, therefore it is of the utmost importance to conclude Askarov’s case in a manner that will discourage the Kyrgyz government, at every level, from similar behavior going forward. A lawyer representing Askarov’s family, Bakyt Avtandil, is calling for an investigation into his death in order to charge the officials guilty for his death and to hold people accountable. Mr. Avtandil is “preparing an appeal to the UN Special Rapporteur on Human Rights about the inaction of the investigative

⁵⁷Bakyt Rysbekov. IR 499 Class Interview, Bishkek, 20 May 2022.

⁵⁸Bakyt Ibraimov. “Arbitrary Detentions on Kyrgyzstan-Tajikistan Border Adding to Tensions.” Eurasianet, January 28, 2022.

<https://eurasianet.org/arbitrary-detentions-on-kyrgyzstan-tajikistan-border-adding-to-tensions>.

⁵⁹Gulgaky Mamasalieva. IR 499 Class Interview, Osh, 31 May 2022.

⁶⁰Aziza Abdyrasulova. IR 499 Class Interview, Bishkek, 28 May 2022.

authorities.”⁶¹ He expressed his hope that “a conclusive investigation of Askarov’s case could bring closure to ethnic tensions which remain high.”⁶² However, it is possible that continuing to draw attention to the Askarov case could distract attention and resources from cases where people are still languishing in jail. In addition, the government refused to comply with UN rulings when Askarov was alive, which makes it unlikely that they would take a politically costly action when the issue is no longer in the limelight. Furthermore, the judicial investigations are unlikely to be impartial since so many officials were complicit with the Askarov case. Askarov’s case is a tragic example, but the problem of selective prosecutions and human rights abuses in relation to the June 2010 events extends beyond Askarov. There are about 40 Uzbeks serving life sentences in the aftermath of 2010.⁶³ This is a direct, visible, and ongoing example of the effects of systemic discrimination against Uzbeks. Vakhitov stated that it was likely that “most of them were arbitrarily or unlawfully committed.”⁶⁴ Reviewing and reopening cases related to June 2010 would go a long way towards the restoration of justice and reconciliation in Kyrgyz society. Vakhitov would urge the Kyrgyz government to comply with UN Human Rights Rulings and end all arbitrary detentions, torture and human rights abuses immediately.⁶⁵ Bakyt Rysbekov stated that “every single case should be reexamined.”⁶⁶ In order to achieve specific outcomes, our policy proposal would focus on just the 40 cases of life sentences, since it is not realistic that every case related to 2010 could be reopened. By reviewing the cases of the people who are still suffering as a result of ethnic hatred in 2010, Kyrgyzstan has an opportunity to impact many of its citizens’ lives for the better and perhaps reduce lingering resentment over cases that are ongoing. In addition, 40 is a limited number of cases that seems manageable in terms of the resources required to reexamine them. It must be said that there are downsides to reopening these cases. Kyrgyz government officials would argue that reopening the cases could inflame ethnic tensions and lead to further violence. They would also claim that there was no discrimination at the structural level against Uzbeks and that reopening cases would constitute interference with an independent judicial process.

Moreover, efforts to create interethnic dialogue and promote a multiethnic Kyrgyz identity are a policy measure that can be adopted by the government to mitigate ethnic tensions. According to the OSCE Report, “the State should take a strong public stand against extreme nationalism and ethnic exclusivity by declaring that Kyrgyzstan is a multiethnic society and

⁶¹Darya Podolskaya. “Death of Azimzhan Askarov: Appeal to Be Sent to UN Special Rapporteur.” 24.kg. 24.kg news agency, May 18, 2022. https://24.kg/english/233922_Death_of_Azimzhan_Askarov_Appeal_to_be_sent_to_UN_Special_Rapporteur/.

⁶²*Ibid.*

⁶³*Last Chance for Justice*, 2021. <https://www.imdb.com/title/tt14182544/>.

⁶⁴Valerian Vakhitov. IR 499 Class Interview, Osh, 2 June 2022.

⁶⁵*Ibid.*

⁶⁶Bakyt Rysbekov. IR 499 Class Interview, Bishkek, 20 May 2022.

facilitating the integration of its minorities into all spheres of public life.”⁶⁷ Such efforts can be supplemented by support for civil society actors and NGOs working to create interethnic dialogue between Uzbeks and Kyrgyz in the South, such as Interbilim and other organizations. Policies undermining Kyrgyz nationalism, which often comes at the expense of ethnic minority groups such as the Uzbeks concentrated in the South, have the potential to mitigate ethnic tensions and create an environment that can foster more open dialogue and sensitive issues that heighten the risk of future violence. However, such policies are often abstract and difficult to implement in practice due to their implications being long-term in nature. Additionally, the current environment of populism and a surge of Kyrgyz nationalism in Kyrgyzstan presents obstacles to legislation tackling these issues, which are on a rise at the national level.

Lastly, a policy measure the government can take to address ethnic violence in Southern Kyrgyzstan is implementing a program for reparations and compensation to victims of the June 2010 events. Beyond revisiting open cases and bringing them to justice, providing compensation and actively seeking reparations for people impacted during the 2010 events, who were predominantly Uzbeks, can bring justice and closure to the communities impacted. According to the OSCE’s recommendation, “the Government should, as a matter of priority, create a comprehensive reparation programme to provide victims with adequate material compensation for loss and rehabilitation,” and “should undertake symbolic measures aimed at affirming to the society as a whole that the victims of June 2010 are citizens of Kyrgyzstan.”⁶⁸ However, the nature of the issue and sensitivity surrounding it present obstacles to the prioritization of such an agenda, as does the factor of cost. Without reliance on international donors, such an expensive program is unlikely to receive funding from the government budget.

Kyrgyzstan-Tajikistan Border Conflict

Although defining the Kyrgyzstan-Tajikistan border seems like an obvious solution, the issue is much more complicated than simply arbitrarily drawing a line on a map, since it has remained disputed for over thirty years. Kyrgyzstan and Tajikistan share 971 kilometers of border, and 471 kilometers are disputed.⁶⁹ The problem stems from the use of “two different geopolitical maps: Tajikistan operates with maps from 1924-1939 and the Kyrgyz Republic with a map from 1958-1959.”⁷⁰ According to Abdybai Shakirbaevich Dzhalobayev, the Deputy Director of the Agency for Water Resource Management under the Ministry of Agriculture, both Kyrgyzstan and Tajikistan currently have commissions to decide on the on the disputed border,

⁶⁷“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011.

⁶⁸“Report of the Independent International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 - Kyrgyzstan,” 2011.

⁶⁹Kurmanalieva, Gulzana. "Kyrgyzstan and Tajikistan: Endless border conflicts." *L'Europe en Formation* 1 (2018): 121-130.

⁷⁰*Ibid*, p. 122.

but it has not made any progress because the commissions are comprised of “every member of government with an interest,” and are therefore unable to come to a consensus.⁷¹

Because Kyrgyzstan and Tajikistan have not been able to delineate the border by themselves, it could be helpful to allow a neutral actor to mediate, such as Russia or the United Nations. Introducing a mediator would be beneficial because it would allow the two sides to make concessions while still retaining face with their respective populations. The drawback of an independent mediator is the perceived threat that an external presence would pose to the sovereignty of Kyrgyzstan and Tajikistan.

Next, if ever able to be decided on, the border needs to be enforced. Because the border is so contentious, the enforcement cannot “use the traditional methods of strict demarcation,” and would require a clearly marked buffer zone.⁷² A clearly marked border and buffer zone means that clashes over the border are much less likely—for example, the Kyrgyz border with Kazakhstan is agreed upon, and there are virtually no disagreements over the border, unlike with Tajikistan, and to a lesser extent Uzbekistan. There are a few cons to this solution, however. The buffer zone would require 3-5 km of neutral territory around the border, which would displace residents living right up against the border.⁷³ This is expensive—it requires compensation and relocation for displaced people away from the border. In addition, in order to make sure that the buffer zone is respected, it may be necessary to introduce neutral peacekeepers, which both Kyrgyzstan and Tajikistan may again perceive as threats to their sovereignty.

A Central Asian Schengen model is an alternative to a militarized border between Kyrgyzstan and Tajikistan. The concept of the Schengen area comes from a policy of the European Union, in which people and goods can circulate between Schengen States without internal border controls. A Central Asian Schengen has already been proposed in March of 2021 between Uzbekistan and Kazakhstan, called the Silk Road multiple-entry tourist visa, with Kyrgyzstan having expressed interest in joining.⁷⁴ Allowing for fluid motion over the border would allow for more relative normalcy for those living in what would be the buffer zone, with the ability to cross the border for work and maintain ethnic communities across national borders. Of course, the border would still need to be agreed upon or else there would be a very strong risk of ethnic conflict as national identity would play a smaller role with fluid border crossings.

The possibility of regional peacekeeping forces has also been raised as a potential solution to the border conflict. As members of the Collective Security Treaty Alliance (CSTO), a regional security alliance headed by Russia, both Tajikistan and Kyrgyzstan have commitments

⁷¹Abdybai Shakirbaevich Dzhalobayev. IR 499 Class Interview, Bishkek, 23 May 2022.

⁷²Gulgaky Mamasaliev. IR 499 Class Interview, Osh, 31 May 2022.

⁷³*Ibid.*

⁷⁴“Central Asian Schengen' Pending Approval of Internal Procedures.” UzReport.news, May 18, 2021. <https://uzreport.news/economy/-central-asian-schengen-pending-approval-of-internal-procedures>.

to refrain from territorial disputes and claims over each other. Kyrgyz politician Bolot Shamirkanov, who believed the CSTO had an obligation to get involved in the Kyrgyz-Tajik border conflict, cited the Treaty's charter: "According to the CSTO charter, none of the participating countries shall interfere in the internal affairs of other members, including territorial disputes, since the goal of the CSTO is collective defence from external threats."⁷⁵ Although regional peacekeeping forces may enforce a ceasefire in practice, its negative implications most likely outweigh the benefits. Inviting Russian military presence onto the contested border of two post-Soviet republics still in the process of asserting their sovereignty sets a dangerous precedent and has grave geopolitical implications. Moreover, Russian interest in resolving the border conflict is necessary to invoke CSTO protocol; however, Russia has no incentive or self-interest in implementing such a policy.

Furthermore, fostering local cooperation efforts on water, land and pasture projects is a potential course of action for local authorities in mitigating tensions at the border. Although the border conflict has now escalated to a national-level, highly militarized conflict, it is at its core a local issue. One organization dealing with water issues in Asia, The Third Pole, recommends community solutions to addressing questions of water and land rights along the border. "Cooperative arrangements have the capacity to lower tensions," the Third Pole reports, citing the case of Ak-Suu river shared between Kyrgyz and Tajiks.⁷⁶ Mediating local discussions and cooperative agreements on resource use could be the catalyst for concrete policies at the municipal level or local monitoring of water, land and pasture use. However, such an approach requires the engagement of Tajik and Kyrgyz locals alike, both of whom fall under the jurisdictions of different governments. Therefore, an approach like this would require the active engagement of civil society and human rights organizations to ensure personal freedoms of peoples living in Tajik exclaves within the borders of Kyrgyzstan, which are considerably more restricted than those of Kyrgyz citizens who do not live under an authoritarian regime.

Representative Democracy as a Policy Measure

With the rise of Kyrgyz nationalism under President Japarov, it is important that the demographics of Kyrgyz government officials reflect the ethnic makeup of the country. This means that ethnic Uzbeks and Tajiks should represent Uzbek or Tajik areas within Kyrgyzstan, in government, policing, etc, what Professor Medet Tiulegenov at the American University of Central Asia calls "sub-ethnic politics."⁷⁷ Deputy Chairman to the Cabinet of Ministers, Edil

⁷⁵"Where Is the Justice?": Interethnic Violence in Southern Kyrgyzstan and Its Aftermath," Human Rights Watch, August 16, 2010, <https://www.hrw.org/report/2010/08/16/where-justice/interethnic-violence-southern-kyrgyzstan-and-its-aftermath#>.

⁷⁶"What Drove the Worst Kyrgyz-Tajik Conflict in Years?" The Third Pole, May 28, 2021. <https://www.thethirdpole.net/en/regional-cooperation/climate-nationalism-unresolved-borders-and-the-pandemic-drove-kyrgyz-tajik-conflict/>.

⁷⁷Medet Tiulegenov. IR 499 Class Interview, Bishkek, 19 May 2022.

Baisalov, believes that the Kyrgyz Government is “not doing enough recruiting of Uzbek policemen [or] government officials.”⁷⁸ In Osh Oblast, in the Fergana Valley, 28% of the population is Uzbek, and there are districts where the population of ethnic Uzbeks is as high as 50%, such as Aravan, Kara-Suu, and Uzgen, but local governments and chiefs of police are all ethnic Kyrgyz, appointed by officials in Bishkek.⁷⁹ Increasing transparency in the appointment process will ensure that majority-minority regions are represented by competent officials who represent the ethnic groups they serve, thereby increasing trust in officials at the local level and potentially mitigating ethnic tensions.

Because the government has largely failed to get ethnic minorities elected into positions of power in Kyrgyzstan, the Kyrgyz government could consider implementing a quota system that reflects the ethnic makeup of the electoral district. Kyrgyzstan already has a gender quota system that reserves 30 per cent of the seats in the country’s 452 local councils for women.⁸⁰ Introducing a similar quota system for ethnic minorities would efficiently ensure legislative diversity and statistical representation. Other ethnic quota systems in Asia, such as in Taiwan and Singapore, showed a “decrease in social exclusion and structural inequities over time,” but even with quota systems gaps still remain between the ethnic minorities and the dominant group because of “structural inequities between ethnic groups.”⁸¹ In addition, the introduction of quota systems might exacerbate pre-existing ethnic tensions between the groups, especially if the majority group of ethnic Kyrgyz feels threatened by the relative loss of power. As a final con, quota systems are not a permanent solution—quota systems serve as a social elevator, but do not guarantee competency. Member of Parliament Dastan Bekeshev explained how some MPs currently serving in Parliament due to the quota system are “afraid to raise critical questions,”⁸² so MPs of ethnic minorities are not guaranteed to effectively advocate for their constituencies due to pressure from the majority.

Policy Recommendations

Ethnic Violence in Osh

The continued sensitivity and lack of closure surrounding the Osh events in 2010 creates high risk for future violence in the South of Kyrgyzstan. The legacy of the violence and injustice is one that is passed down through generations, posing unique challenges for ethnic conflict that is cyclical in nature. Therefore, policies must be implemented to mitigate future risk of violence, promote reconciliation and achieve justice.

⁷⁸Edil Baisalov. IR 499 Class Interview, Bishkek, 20 May 2022.

⁷⁹Valerian Vakhitov. IR 499 Class Interview, Osh, 2 June 2022.

⁸⁰“Be Courageous!” How Women in Kyrgyzstan Are Bringing a Fresh Perspective to Local Politics.” OSCE, July 22, 2020. <https://www.osce.org/programme-office-in-bishkek/457834>.

⁸¹Netina Tan and Cassandra Preece. “Ethnic Quotas, Political Representation and Equity in Asia Pacific.” *Representation*, 2021, p. 18. <https://doi.org/10.1080/00344893.2021.1989712>

⁸²Dastan Bekeshev. IR 499 Class Interview, Bishkek, 3 June 2022.

As a short-term solution, the Kyrgyz government must conclude a comprehensive investigation into the case of Azmijan Askarov and re-examine cases and detentions related to Osh 2010 events. Although Askarov passed away in 2021, his case remains extremely relevant to unresolved ethnic tensions in the South of Kyrgyzstan. His arrest, arbitrary detention, torture and subsequent deaths are a glaring stain on Kyrgyzstan's human rights record, and a source of great pain for communities impacted by the violence in 2010 to this day. Justice for Azmijan Askarov could be the first concrete step on the path to reconciliation and healing for communities still grappling with the recent aftermath of the deadly violence in Osh. The losses, both material and personal, of the 2010 events remain prevalent in the memory of Kyrgyz and Uzbeks alike, heightened by the sensitivity, taboo and silence surrounding the issue. Therefore, by concluding the investigation on the circumstances surrounding Askarov's death and holding those who were guilty accountable, the Kyrgyz government could set the precedent for future reconciliation and justice for all victims of the Osh events. Although it may be too late for Askarov, the pending cases of those who face life sentences, arbitrary detention and similar circumstances to Askarov must be re-opened, re-examined and brought to justice. Arbitrary detention and torture of ethnic Uzbeks and other cases relating to the 2010 violence must be ended immediately, and the rulings of the UN Special Rapporteur on Human Rights upheld by the Japarov administration and future governments. Because many of these arrests were made by local authorities during the height of violence in Osh, the charges must be reviewed to ensure those implicated are ensured the civil liberties under the full extent of Kyrgyz law and international standards.

As a long-term solution, the need for ethnic representation among local authorities in the South of Kyrgyzstan and increased transparency in appointment processes is necessary for mitigating future outbreaks of ethnic violence. Following the Osh 2010 violence, part of the sensitivity surrounding the topic is distrust of local officials. Due to lack of transparency in the appointment process of local officials, police officers and government representatives, areas with large populations of ethnic Uzbeks do not see this diversity reflected among local authorities who are often appointed through unbureaucratic processes from Bishkek. In lieu of the disproportionate prosecution of ethnic Uzbeks after the 2010 events, the lack of such representation at the local level breeds a continuing distrust between locals and officials in Osh, Jalal-Abad, Arslanbob and other strongholds of ethnic Uzbek minorities. In order to mitigate the effects of the lack of representation, a more representative model of local governance must be adopted through transparent appointment processes. In turn, trust between local authorities and populations will increase over time, decreasing sensitivity around the issue, easing ethnic tensions and preventing the outbreak of future violence in the long-run.

Moreover, efforts to create interethnic dialogue and promote a multiethnic Kyrgyz identity are a policy measure that can be adopted by the government to mitigate ethnic tensions. According to the OSCE Report, "the State should take a strong public stand against extreme nationalism and ethnic exclusivity by declaring that Kyrgyzstan is a multiethnic society and

facilitating the integration of its minorities into all spheres of public life.” Such efforts can be supplemented by support for civil society actors and NGOs working to create interethnic dialogue between Uzbeks and Kyrgyz in the South, such as Interbilim and other organizations. Because discussions surrounding the issue remain highly sensitized and contentious, allowing the room for civil society organizations to bridge ethnic gaps through community-based discussions can be an effective mitigator of ethnic tensions and prevent future outbreaks of violence. In addition, the Kyrgyz government should invest in training multilingual teachers in order to promote multilingual education in southern Kyrgyzstan, providing ethnic Uzbeks the same schooling and economic opportunities as ethnic Kyrgyz and Russians.

Tajikistan Border Conflict

In the short term, increasing local cooperation on access to resources is an effective policy to mitigate future conflict along the Tajik-Kyrgyz border. Due to the inherently local nature of the border conflict, efforts at the national level and militarization across the border must be decreased and replaced with local, grassroots efforts instead. By promoting cooperation on water, land and pasture projects between Tajiks and Kyrgyz in Tajik exclaves within the area of Kyrgyzstan such as Batken, the government can empower locals to pursue a peaceful alternative to settling water disputes. Dialogue at the local level and water/pasture rights agreements can be facilitated through the work of human rights organizations and increased communication with residents and local authorities who monitor the situation. In the long term, creating room for civil society and human rights organizations to function within Tajik exclaves, where the rights of civilians are more restricted due to the authoritarian government whose jurisdiction they fall under, will ensure the personal rights of locals impacted by water resource issues and the border conflict. Such measures will afford the opportunity for conflict resolution in the long term and an effective ceasefire in the short.

To Conclude

Among a dynamic political landscape and unique contemporary challenges, the fallout and ongoing effects of ethnic violence in Kyrgyzstan remain low points on its human rights record. Through tumultuous revolutions and an ever-changing political environment, Kyrgyzstan’s commitment to addressing the painful aftermath of ethnic tensions and going border-conflict as a multi-ethnic, multinational state in the modern sense must be emphasized as a policy priority by both current and future administrations. Without active efforts to mitigate ethnic tensions and violence in the Fergana valley, the cyclical violence, one tainted by a contemporary rise in nationalism and a post-Soviet legacy, will continue posing unique challenges to Kyrgyzstan and the broader Central Asian region.

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Homelessness in Los Angeles and Shanghai: Causes, Perceptions, Consequences

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Amidst global urbanization, housing insecurity has become a visibly growing problem. From the U.S. to China, specifically Los Angeles and Shanghai, cities often share issues of homelessness in spite of the reputation of cities as innovative, economic powerhouses. In comparing these cities, the uneven distribution of resources in urban areas is made clear, but it is evidence that homelessness is more often intentionally created when a group is deemed, or is acting, undesirable, rather than a simple miscalculation by political and economic officials. In Los Angeles, as the population of disenfranchised, racialized groups migrated for labor prospects in developing urban areas and grew, policy was wielded to limit and crystallize political power differentials in the form of homelessness. In comparison, in Shanghai, homelessness arises from the strict migration *hukou* policies and gaps in the uneven, rapid urban-rural development of China in the past 70 years. However, as a result, lesser policing of homeless groups, historical variance in the most marginalized ethnic groups, and the nationalist unity of being Chinese, there is less, if no, racialized perceptions of homeless populations in Shanghai. However, across Los Angeles and Shanghai, the same issues of stigmatization of and lack of proper social safety nets for homeless people exists and reveals how urban policy, even across political systems, fail residents economically and socially in similar ways.

I. Homelessness in Los Angeles

A. Historical Background/Causes

In Los Angeles, when predicting homelessness, factors like a person's being in certain zip codes and interactions with law enforcement or mental and physical health systems demonstrate a higher risk than others to be homeless (Von Wachter, 2019, p. 13).

L.A.'s Skid Row has existed for at least 150 years. It was originally dominated by poor white migrant men doing seasonal work, and people would build makeshift homes on the undeveloped land. L.A. City viewed them as a menace and threat to public welfare and the value of middle class homes, so they were thrown in jail, making up 98% of the jail population in 1905 and more were built just to contain them (Ward, 2021). The city defaulted to using police to deal with unhoused populations. In addition, substandard housing where ethnically diverse poor found housing were subject to citation or torn down by the city for "public health" threats (Ward, 2021). In the 1950s, there was increased policing on Skid Row that led to greater arrest for petty crime such as sleeping, sitting, or lying on the sidewalk, street, or other public areas (Ward, 2021). Policy around homelessness only started changing when homelessness left Skid Row and became visible in other areas of L.A. The 1980s was an era of "new homelessness" (Ward, 2021). While white men made up the majority of Skid Row until the 1980s, as of 2020, it is 59%

Black and 23% Latinx (Ward, 2021). In 2006, a “Safer Cities” initiative continued to enforce a zero-tolerance crime policy, which further criminalized unhoused people, especially those of color. Clearly, police have been a key actor in creating and perpetuating homelessness, as the LAPD has a budget of \$3 billion and \$8.9 million is allocated for services related to people experiencing homelessness, dropping from \$14.1 million last year. In 2010, 1 in 10 arrests by the LAPD would be someone who is unhoused, and today the number is 1 in 4 (Ward, 2022).

Homelessness also is the result of incarceration, which makes it difficult for those newly released to find a job. Similar to the homeless rates, Black people make up 29% of the jail population today (Ward, 2022). In addition, inadequate mental health resources tied to incarceration are responsible for the crisis. In 1967, California passed the Lanterman-Petris-Short (LPS) Act which allowed “authorities to take people into custody for.... psychiatric holds,” which led to many people rotating in-and-out of hospitals that would not follow up and instead, discharge their unhoused patients into the streets (Ward, 2021). The L.A. County jail system “became the de facto mental health institution and homeless shelter for mentally ill homeless people” (Ward, 2021).

The changing demographic rates of homelessness have also been due to the historically racist housing policy of the Great Depression era and prior. Black people were sucked into predatory mortgage and home buying schemes, which included things like higher rent burden (Ward, 2022). Moreover, in the 1980s, 80% cuts to the Housing and Urban Development budget under the Reagan administration made nonprofits responsible for the housing crisis instead of the state (Ward, 2022). Moreover, the city cut up Black and Latinx working-class neighborhoods with freeways in order to reorient the region around growing suburban populations (Ward, 2021). In addition to these barriers, recently immigrated Latinx populations were—and are still—often pushed to external suburbs and unable to pursue stable jobs, living opportunities, or public benefits due to language inaccessibility or lack of documentation (Arroyo, 2021) (Chinchilla, 2021).

Most recently, in 2020, L.A. had 66,436 recorded unhoused residents, a 13% increase from 2019, and is consistently one of the top rated cities for homelessness in the U.S (Yee, 2022) (Ward, 2021). For L.A.’s recorded sheltered unhoused population, Black people made up 42.6% and Latinx people made up 38.7% (Ward, 2021). These stunning numbers are even more noteworthy considering that Black people make up only 8% of its population but are 34% of the total unhoused population and are “four times more likely to experience homelessness,” which is unprecedented in any other city (Ward 2021; 2022). Most unhoused people are men, but about a third are women, and/or are chronically homeless, and/or facing substance use problems (Palta, 2018). In addition, 65% of unhoused people are local L.A. residents, living here for 20 or more years. 60% of L.A.’s unhoused population has cycled through the criminal justice system (Ward, 2021). 50% deal with serious mental illness (Ward, 2021). They are overwhelmingly made

unhoused because of poverty and the high cost of housing, as homeless rates went up in 2018 and how Los Angeles County has the highest poverty rate in California, which has the highest poverty rate in the U.S. (Palta, 2018). In conclusion, Los Angeles has enforced long-time, unchanging carceral policy towards unhoused populations of color which has only allowed systemic problems to fester.

B. Mainstream Perceptions Towards Homelessness in Los Angeles

Encampments are significant because they are almost functional territories in and of themselves, with wide visibility and different perceptions amongst Los Angeles residents. Encampments are safer areas where unhoused populations choose to gather and reside for longer periods of time, and in Los Angeles, these are notably located in Skid Row or Echo Park, amongst other areas around the city. In the present day, encampments often get swepted or forcibly evicted due to political actors who pour money into law enforcement and hostile anti-homeless policy, instead of housing. Rather than solve the problem, the government prefers to just hide or remove it, evidenced just as recently as the Super Bowl sweeps conducted by LAPD *and* ICE agents (Levin, 2022).

As a result, residents of all income levels may also view unhoused people as an eyesore, and there is wide not-in-my-backyard (NIMBY) sentiment around the issue because they do not view unhoused residents as neighbors, nevermind as human beings (Palta, 2018). While there are more sympathetic understandings actively advocating for and assisting unhoused groups, mainstream conversations more often blame individuals for being homeless, rather than the system.

In addition, an LAist article notes that “Racism hides behind classism,” (Palta, 2018). Housed people who are not of the same demographics may often weaponize stereotypes of Black and Latinx people alongside their perceptions of unhoused people, viewing them as “lazy” or “leeching off of government benefits,” despite welfare programs being a solution proposed by the local government and despite Latinx groups being unable to access those said-benefits. These perceptions only further contribute to the dehumanization and racialization of unhoused people, and solidifies the problem as not of their concern.

C. Response and Proposed Solutions to Homelessness in Los Angeles

The Union Rescue Mission opened in 1891 to offer help to unhoused people in the country (Palta, 2018). The city would open up other Bureaus and Missions in 1914, 1928, and 1933 for men, women, and as a public shelter, but it would be segregated (Ward, 2021). Black people would go to Black-operated and funded centers instead. There was also no city policy created to address employment and housing issues for Black people as homeless policy primarily

targeted unemployed, family-less white homeless men in the 1970s (Ward, 2021). In 1976, city officials decided to contain Skid Row to the 50 blocks that it is today, relocate the soup kitchens and mission to the zone, and use LAPD to discourage Skid Row from expanding (Ward, 2021).

Today, L.A. claims they have a “housing first” philosophy to get people in permanent homes, but officials have actually called this “unsustainable” and instead opted for eviction prevention, rental subsidies, and encouraging signing up for social security, veterans, and disability benefits (Palta, 2018). Mayor Eric Garcetti proposed temporary homeless shelters, but wanted to criminalize camping out (Palta, 2018). Specifically, the city has most recently implemented ordinance 41.18, the anti-camping law, which follows historical precedent and makes it illegal to sit, sleep, and store things on the sidewalk (Ward, 2022). In general, evictions are the premier contemporary policy approach taken towards homelessness, as the 2021 sweep of 183 unhoused people in Echo Park was considered “single largest housing event in the history of the city” (Levin, 2022). Two million dollars were spent on removing residents and placing them into a shelter by the Los Angeles Homeless Services Authority (LAHSA). However, LAHSA lost track of 97 of the 183 people it monitored and only 17 people were confirmed to be living in some form of longer-term housing, and six people died after the removal (Levin, 2022).

Other homeless initiatives by the city include Project Homekey. Project Homekey’s goal was to rehabilitate hotels and motels into permanent housing and it has successfully served more than 1,100 people (Ward, 2021). Other recent measures have included eviction moratorium extensions and rent relief (Ward, 2021). In addition, there have been voter approved measures like Proposition HHH and Measure H, that was a \$1.2 billion fund, and a sales tax raising \$355 million annually over 10 years, used to build permanent housing and homeless services (Ward, 2022). However, these are long term projects that do not address immediate needs, and to the dismay of those utilizing the services, ultimately closed (Guevarra et. al, 2022).

The immediate needs of the unhoused are often addressed by local organizations. Although there is variation in their effectiveness, there is a growing number of groups primarily organized by local residents of color that support and actively work with—but most importantly—alongside encampments and unhoused people. These are individuals like Shirley Raines and organizations like Echo Park Rise Up, Street Watch LA, and All Power Books, and they occasionally personally identify with the struggles of those who are unhoused. They run programs like community fridges, weekly food drives, hair salons, and other free and community supported services (CNN Wire, 2020). They also politically platform residents of encampments by supporting them to speak in public events like city council meetings, and attempt to directly support them through social media fundraisers. Despite their effectiveness in making sure unhoused populations are getting their basic needs met and advocating for their human rights and beneficial policy, they are very limited by carceral state responses and even mocked by mainstream media like the L.A. Times (Streetwatch LA, 2022). Few, if no, political figures share

their same values, which was evidenced by every 2022 L.A. mayoral candidate criminalizing homeless populations in their platforms (Streetwatch LA, 2022). As such, the organizations often are opposed to and not supported by the state, either at the national or local level.

D. Effectiveness

The most problematic aspect of L.A.'s homeless approach is the level of policing that exists because it does not truly address the causes for homelessness and only seeks to punish and remove those affected. It creates an environment that seeks to harm rather than rehabilitate, and has implications for all of L.A.'s homelessness efforts. For example, although Project Roomkey seemed promising, other unhoused residents felt that it was a "glamorized jail," and would eventually be kicked out for various reasons (Levin, 2022). They were subject to strict rules on their possessions, curfews, and visitor bans that made them feel isolated from their community, or made it difficult for them to continue jobs or find work.

Activists for groups like Black Lives Matter argue that the money put into policing should be spent on permanent housing instead, as the same amount of money could "house everyone in the city" (Ward, 2022). In addition, the focus on policing has also distracted from other areas of concern, such as the sanitation and safety problems in L.A.'s current shelters that make them unused, despite being so expensive to build and operate.

Research groups like the UChicago Poverty Lab state that homelessness prevention programs should be effective, which means stopping people from becoming houseless, and efficient, which means targeting those who are at high risk of homelessness. Based on their findings, they stress the importance of setting up long-term programs for individuals exiting institutional settings, such as the foster care system or mental health or correctional facilities (Von Wachter, 2019). For Chicago and New York, programs that were previously successful included setting up a hotline where people could call for \$1,500 grants and long term community-based programs like job placement, legal assistance, and benefits counseling (Von Wachter, 2019, p. 6). While some non-government L.A organizations certainly pursue such action, it is not large enough to combat the greater acts of the city. L.A. continues to pour millions of dollars into addressing the homeless problem through policing, but has routinely failed due to their refusal to truly listen to unhoused populations and community organizations who have been clearly advocating for their preferred solutions.

II. Homelessness in Shanghai

A. Historical Background/Causes

When considering homelessness in China, it is necessary to understand the rapid economic development that occurred after its founding in 1949 and its feudal history marked

by British colonization. Specifically, in 1937, there were 25,000 white, stateless Russians living in Shanghai because it did not require a passport or work visa, and other white foreigners were immune to Chinese law (Newham, 2005). However, Russians were not, and while they were not recorded to be unhoused, they were certainly penniless. They faced barriers to unemployment due to lack of skill and language, and a quarter of Shanghai Russian women were sex workers. While much of the Shanghai Russian population would end up migrating elsewhere after the People's Liberation Army's victory in 1949, Shanghai Russians altered racial relations "for the first time" by being "a white group" in the "serving class," and it was to global alarm as League of Nations believed Shanghai was conducting a "white slave trade," with other contemporaries fearing it was damaging the imperial racial hierarchy system that Shanghai was part of (Newham, 2005).

Following the war, there were many unhoused individuals, from defeated Nationalist soldiers to others fleeing disaster zones or in other precarious economic situations. In China, cities nearly quadrupled in amount from only 60 official cities in 1947, to 239 cities in 1982 (Zhou, 1987, p. 16). However, as people migrated from rural areas for urban jobs or to escape famine in the 1950-60s, their mobility was continually restricted and was ultimately what brought about the household registration *hukou* system (Zhang, 2012, p. 376). The national government would continue to pursue anti-rural migration policies until the 1980-90s. This meant that unhoused people tended to be migrant workers, and when they were discovered, they would be reported to get sent back by law enforcement through the "'detention and deportation' systems" (Zhang, 2012). Once they return to their registered areas, they are provided with shelter and money from the government. Thus, they were effectively rendered invisible or nonexistent in urban areas like Shanghai.

Additionally, because the *hukou* system is identified with the ID card, not having an ID can disqualify individuals from urban jobs, and even deprive them of their citizenship. Many homeless people did not have an ID card due to being orphaned at a young age, not knowing where their hometown was, having parents unaware of the process required for an ID, or even losing it as they were homeless and being too ashamed to return to their home regions for the in-person ID application process (Zhang, 2012, p. 382).

Fortunately, official policy improved in 2003, when the mandated returns ended and were replaced by requirements for local governments to establish social assistance centers, or shelters, for unhoused populations. This increased the amount of people accessing government-funded homeless shelters nationwide from 670,404 in 2004 to 1.72 million in 2010 (Zhang, 2012, p. 375). In Shanghai, the Renewal Centre has been a significant and "pioneering" NGO for unhoused people and has successfully worked in partnership with both public and private actors (Zhang, 2012, p. 374, 379).

B. Mainstream Perceptions Towards Homelessness in Shanghai

Prior to the 1950s, low-income, non-Chinese groups like the Shanghai Russians were viewed negatively, as British Shanghai estimated they made up 85 percent of foreign criminals (Newham, 2005). However, interestingly, it was also a status symbol to employ a Russian worker, as other white foreigners and wealthy Chinese enjoyed the idea of being served by former “Russian elite.”

Then, during the more restrictive rural-to-urban migration period of 1950-1990, perceptions of China’s homeless, specifically detained migrants, by law enforcement continued to be very poor. There were also economic incentives for police to arrest unhoused individuals and they were criminalized by the detainment policy. They were seen as dirty or as a source of a disease, and faced mistreatment like forced labor and beatings (Zhang, 2012, p. 376).

In 2003, there was a turning point due to the Sun Zhigang Incident, when the 27-year-old migrant worker Sun died in detainment in Guangzhou (Biao, 2013). Chinese civil society reacted strongly to this injustice. This response ultimately moved the state away from punishing homelessness and instead combating the contributing factors to homelessness.

However, popular media in China still tends to be largely negative as it depicts unhoused people as being criminals or thieves, similar to the pre-1950s period. In general, unhoused people continue to face unequal treatment, social exclusion, and stigmas (Zhang, 2012, p. 378). They are often viewed as lazy, when in actuality they migrated to places like Shanghai to find better jobs but were put in precarious situations, due to lack of family resources, job prospects, or being victims of crime themselves (Zhang, 2012, p. 380).

C. Response and Proposed Solutions to Homelessness in Shanghai

After 2003, nationwide, the 832 former detention centers were converted into assistance stations, and by 2010 there were 1593 government-funded shelters—almost double the amount. Moreover, police and security were removed completely from matters of shelter operations and administration (Zhang, 2012, p. 377-378). The shelters themselves, which offer tickets back home, medical aid, food, shelter, hygiene facilities, and entertainment, also operate on the basis of consented aid, rather than past coercive practices (Zhang, 2012, p. 378). In Shanghai specifically, there are 21 official shelters, in addition to three other NGOs, including Renewal, which assist unhoused people who are disabled or are involved in substance use. The shelters assist 30,000 people a year (Wang, 2010). Renewal itself receives more than 1000 visits a month, and over half of its visitors are young males from rural areas, alongside some local Shanghainese.

To fill the gap, non-governmental organizations, which have increased since the 1990s, have primarily driven the response towards unhoused populations. Chinese civil society has also expanded due to these NGO efforts (Zhang, 2012, p. 374). The state has been encouraging this because it allows services to be provided to groups the state alone is unable to reach.

D. Effectiveness

For the converted shelters, while the facilities are better than NGOs, they are in remote places so there is low awareness of its existence. In addition, the 2003 measures have not changed the goal of wanting to send the unhoused populations back, which does not truly solve their problem or the desires of the unhoused people (Zhang, 2012, p. 378-379). In fact, state facilities only offer food and accommodation for a maximum of 10 days and then they will attempt to persuade the unhoused person to return home (Zhang, 2012, p. 381). However, they do provide quilts and warm weather material for those who refuse shelters, and rescue teams monitor the conditions of unhoused populations in the winter time in areas like train stations, underpasses, and bridges (Wang, 2010).

For the NGOs, there is a shortage of resources due to the high volume of unhoused populations. The Renewal Centre has two full time staff but is mostly made up of around 50 volunteers. However, they do have support from local police and residents (Zhang, 2012, p. 378). They are more effective because they have interviewed unhoused people and adapted accordingly to needs. In addition, the Renewal Centre also provides “sustained support” like skill and employment training, in which they work with private businesses to create entry-level internships opportunities with mentorship. In order to qualify, the participant has to be a regular visitor and demonstrate basic life skills from personal hygiene to time and money management. After two months, during which they are paid and still hosted by Renewal, the “intern” is hired or let go of, with the Centre accordingly providing other opportunities (Zhang, 2012, p. 381-382). As a result of the program, Renewal cites a number of successful cases in which formerly unhoused visitors are now employed, no longer reliant on Renewal, and with stable shelter.

Overall, NGOs and their long-term approaches are more effective than the government-funded shelters even while lacking resources. However, local level work is still limited by the overarching national *hukou* problem. Evaluating the broad, housed migrant worker populations in Shanghai, they are still often restricted to low-cost private housing either in dilapidated city areas or far-away suburbs (Lau, 2020, p. 175). This is because the *hukou* system prevents them from buying houses and accessing social services, and such separation and isolation makes it difficult for them to build community with local residents outside of the migrant enclaves, ultimately limiting their social mobility (Lau, 2020, p. 172).

III. Differences Between LA and Shanghai: Homelessness Policy, Racialization, and Nongovernmental Actors

What is especially striking when comparing these two cases is the difference between the much greater policing towards unhoused populations that exists in LA compared to Shanghai. On the local and national level this is evident, as China has completely removed police from handling issues of homelessness. In comparison, police are the primary state force handling LA's urban unhoused population, when considering the funding that LAPD receives in comparison to other state options like the shelters or affiliated homeless research and facilitation organizations like LAHSA. Moreover, it has been outlined in China to address systemic problems that lead up to homelessness, whereas U.S. federal and local government and politicians, as well as mainstream discourse, have historically and contemporarily shirked blame for the existence of their large unhoused populations. This reinforces how homelessness and the glaring discrepancy in distribution is intentionally wielded by Los Angeles in order to control low income populations of color, for the benefit of wealthy and often white communities. As stated previously, homeless policy only really changed—for the negative—once it became more visible to housed residents when unhoused populations moved outside of Skid Row.

This connects to discussion of racialization. In China, the landmark case was the death of the detainee in Guangzhou, and this single incident led to the complete overhaul of their previous system because the state responded to the concerns of the civil society. In comparison, in Los Angeles, in 2020, 1,383 homeless people died, with the number only increasing from years before, and not counting those who died while living in temporary shelters (Levin, 2021). While around half of these deaths were accidental, due to drug or alcohol doses, even the 6 deaths that L.A. was responsible for after the Echo Park sweeps made little waves in local news (Levin, 2022). Despite the anger that is occurring from the groups at the forefront of the crisis, their resistance is being overlooked and intentionally ridiculed by detached political and economic elites, who directly benefit from covering up such issues. The constant repression faced by unhoused populations of color has made such deaths a distant yet expectant statistic, rather than a shock of human rights abuses.

This raises another difference in how Shanghai's unhoused population are primarily migrants, while LA's are often longtime residents who have continually been harmed by LA policy. The most similar demographic to Shanghai's migrant homeless population would be LA's Latinx unhoused population, who may have also migrated for economic reasons and are often in similar ethnic enclaves on the periphery of the major city. However, race and ethnicity is not as rigid of a factor in China due to how one, Chinese nationalism has allowed its residents to broadly see one another as Chinese and two, the history of different races shuffling their relative power against one another. In comparison, in Los Angeles, and the United States as a whole, even within the same city, there is stark stratification between races that often goes hand-in-hand

with class. Even those who are white and homeless are disregarded as human beings due to other factors like their class and ability, and that dehumanization is only compounded for other groups of color that fall outside of the societally accepted mold. This is what enables deaths to so senselessly occur, and for such homelessness to persist without widespread action to be taken on solving or fighting it. Even when action is fought for, those who are not unhoused may face the very same violence by the state and its policing, as evidenced by how frontline unhoused advocacy organizations have been treated poorly—if not brutally—by law enforcement and local government in L.A. This is to say that in L.A., the goals of homeless advocacy groups are completely not in alignment with the state's goals, while in Shanghai they tend to be more so.

On this note, there is also more support of local NGOs by Shanghai and the state, than in Los Angeles and the U.S. government. This has great implications for the services the NGOs can provide. While Shanghai's NGOs can offer long-term programs in partnership with companies that set up its homeless visitors for success, Los Angeles's local organizations are limited by the funding they receive from community support, which is more often than not other fellow low-income people of color with little to give. In addition, Los Angeles's shelters and—even Project Roomkey—have much less career and mental support for its residents, which sets them up for a return to the streets in spite of the latter's promise of being a permanent shelter. This is similar to China's shelters, in which they also set limits and view their aid as short term rather than long-term because they do not actually want the unhoused migrants to stay, despite its economy benefiting from their cheap labor.

Another key difference between Los Angeles and Shanghai is clearly the *hukou* system, and that comes with benefits and disadvantages. In theory, while unhoused people in the U.S. are free to move where they want, this also leads them with no real pathway or region that bears the responsibility of their care. In comparison, unhoused migrants in Shanghai, for the most part, have a region that can receive and assist them, in addition to the shelters that exist in Shanghai. At the same time, the *hukou* system leads to less visibility or documentation of the unhoused population in Shanghai, as people are either already sent back, or hesitant to utilize shelters based on their insistence to send migrants back.

This also raises the question of visibility between the two cities. The unhoused population in Los Angeles is highly visible, with community advocacy uplifting them, yet they have no better—if not worse—treatment from local authorities. In Shanghai, the migrant unhoused population may be less visible, but do have services provided to them by the local community organizations similar to Los Angeles. This area requires more research, as there is little documentation done on the outcomes that exist for unhoused individuals who choose not to use Shanghai's services, and what their treatment is like—if any—by law enforcement.

IV. Similarities Between LA and Shanghai: Causes, Perceptions, and Effectiveness

In both Shanghai and LA, people are made unhoused due to similar circumstances outside of their control, such as disability, being orphaned or aging out of a foster care system, facing drug addiction or mental illness, or facing legal barriers to economic stability. In both cities, there are demographics of unhoused people who moved to a city specifically to work but failed, or their work had insufficient wages, and they became unhoused or put into a precarious housing situation. They became—or already are—unusable or not valuable to the state, and so there is little incentive to meet their needs, only addressing them for the comfort of valuable residents.

Another tragic similarity is how in both Shanghai and LA the state will have much more punitive measures than local groups because they want to “solve” homelessness short-term, and are not willing to put in the effort, time, money, and consideration to solve issues long-term. Just as unhoused people in LA were eventually kicked out of Project Roomkey and are hesitant to frequent Los Angeles government affiliated shelters, Shanghai unhoused people often do not frequent state shelters, and Renewal is a more viable option despite having lesser manpower. For both Shanghai and LA, there is a sentiment on “getting rid” of unhoused populations and simply removing them from sites, whether it is in violent evictions or quiet deportations, instead of making sure people don’t become unhoused in the first place.

In addition, there is the interesting similarity of isolation that exists between housed and unhoused populations, which only makes it more difficult for unhoused populations’ circumstances to change, and for local residents to assist or even understand them, which leads to further stigmatization of unhoused groups. For LA, these are Latinx enclaves that primarily have immigrants who are low-income and non-English speaking. Although this may allow more mental comfort in terms of being in proximity to people they can actually understand and relate to on an identity-level, unhoused people of color are also unable to access higher-income economic opportunities that come from different networks. In daily life, they would not interact with different local demographics. In Shanghai, this is similar, because migrant workers will often live together in enclaves near their place of labor, or in the suburban areas of town where it is more affordable. This separation allows housed groups to view the unhoused as lazy, dirty, or criminal. These beliefs are then used, at worst, to argue that the unhoused population don’t deserve basic human rights and, at best, allow housed populations to believe that homelessness is a personal failure that is not of their concern, rather than effect of a community or of a government’s systemic failings.

On the more positive end, in both cities, there are non-government groups who actively work with and alongside unhoused populations to fill in the gaps created by the government. In LA, there is a focus on making sure that the unhoused people are in charge of how they are treated and represented when discussing responses to political actions. This has looked like

passing homeless community members the mic at government meetings, sharing their image and story on social media for financial support, and providing items to them as needed and requested. This has also been done in Shanghai, with Renewal surveying unhoused people on what they needed and creating curriculum around their news. While Shanghai's Renewal has had more power due to their support from their state and local corporations to intake unhoused job candidates, this ultimately shows that the effectiveness of such organizations depends on whether they are given the support they are needed, and the failures of urban governance and resource distribution.

V. Conclusions

Overall, LA's homeless response has been largely ineffective because the city relies on law enforcement and pursues violent eviction measures, instead of incorporating the long-term demands of visible, self advocating, and primarily Black and Latinx unhoused populations and local advocacy organizations whose goals are deemed to be at odds with their own and the interests of wealth, white actors. In Shanghai, homelessness response has improved since the government has been more responsive to civil society and removing law enforcement from facilitation, however, problems persist in government shelters, due to a preference on short-term removal of unhoused migrant demographics over long-term assistance, and nationwide, with the *hukou* system that makes unhoused populations less visible. In both cities, people become unhoused due to not having social safety nets for problems like financial instability, loss of family, physical and mental disability, and drug use. Negative perceptions of homelessness by popular media take advantage of these characteristics to create greater social separation and reduce social responsibility between housed and unhoused populations. Local non-governmental groups attempt to fill these gaps but are only so effective due to the amount they are limited or supported based on the local government. Above all, this shows that all residents, housed or unhoused, are being harmed when an urban government chooses to preserve inequality and scarcity of housing.

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Ensuring Economic Opportunity for Disproportionately Impacted Communities in Los Angeles County, CA

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Abstract

The rise of the Covid-19 pandemic has introduced a myriad of socioeconomic issues across the country. Within the county of Los Angeles, young individuals of color were hit the hardest. In collaboration with Supervisor Holly Mitchell's Research team, this paper examines potential economic solutions for assisting disproportionately impacted communities in Los Angeles County, California. While there are a plethora of ways to increase the future economic growth for minority populations, this paper will focus on both short-term and long-term policies: work supports, educational and skill training opportunities, and employee ownership models. Based on diverse academic journals and numerous case studies with similar examples from other regions, this paper analyzes the necessary economic recovery vehicles and employee training programs that have the potential to transition individuals back into the workforce while increasing wages and reducing future job insecurity. This paper is divided into three sections: introduction, findings, and conclusion.

Introduction

For centuries, the spread of diseases has proved to be one of the greatest threats to the progression of the human race. Most recently, the rise of the Coronavirus has devastated communities around the world. Within Los Angeles County, the most devastated demographic of individuals consisted of young females of color. According to a plethora of studies conducted in Los Angeles and the surrounding areas, this key statistic can be attributed to lack of educational opportunities. As a result, these individuals displayed a higher probability of filing for unemployment in comparison to the general population (Sedgwick, 2020).

According to the Los Angeles County Economic Development Corporation (LAEDC) for Applied Economics, the rate at which female individuals filed for unemployment during the pandemic was approximately 6.4 percentage points higher than that of their male counterparts. Also troubling is the fact that 44.3% of individuals in California who filed for unemployment were 34 years old or younger. In addition, 65.3% of unemployed California residents were people of color, while another 56.9% had not received the opportunity to pursue an education beyond high school (Sedgwick, 2020).

Perhaps one of the most significant aspects of the pandemic was its portrayal of the striking volatility of the labor market. Prior to the pandemic, a study from the Los Angeles

County Department of Workforce Development, Aging and Community Services (WDACS) displayed that the majority of homeless service clients were consolidated among low-wage jobs in the industries of retail trade, food services, and administrative/support services. In response to the pandemic, many of these industries ultimately shut down their business locations, forcing a plethora of difficult layoffs (Sedgwick, 2020). As a result of a significant lack of training and supportive housing services, many of these individuals were unable to obtain a new job, thus preventing them from climbing out of the homeless population.

Despite these devastating and unfortunate statistics, the most hopeful aspect of the occupational sector was the stability of the frontline industries (where employees deal directly with the public) throughout the pandemic. According to a WDACS survey, while non-essential industries experienced a 23.4% decrease in job growth throughout the second quarter of 2020, the frontline industries only experienced a 5.9% decrease in job growth. This key observation should ultimately incentivize the county to train more workers for Frontline industry occupations in order to mitigate the array of prospective negative economic impacts going forward.

In observing the prospects throughout the labor market that would provide a greater amount of stability and growth for individuals in vulnerable demographics, it is also important to pay close attention to a variety of middle skill jobs in Los Angeles that pay above the living wage. Given a greater amount of resources available for individuals to support them in obtaining higher levels of education, many of the disadvantaged members of our society may be able to successfully reenter the workforce. According to the Los Angeles Economic Development Corporation, it is estimated that between 2020 and 2024, over 500,000 jobs will be added within Los Angeles County. Moreover, specific high growth sectors (such as healthcare, transportation, and construction) are pivotal to providing displaced workers with a pathway to living-wage employment.

Given the current state of the county's economy, this paper initially focuses on overcoming the most significant obstacles in getting individuals back into the workforce. Then, this paper analyzes case studies from similar regions that have successfully implemented a myriad of training programs aimed at supporting vulnerable demographics as they attempt to climb up the socioeconomic ladder. In addition, this paper will examine the use of an employee ownership model as a sustainable economic recovery vehicle that may sustain the success and economic progression of our targeted population. Finally, this paper will conclude with proposals aimed at assisting Los Angeles County in their journey to ensure economic opportunities for disproportionately impacted communities.

Findings

Child Care

As displayed through Appendix 1, prior to the pandemic, Black, Latinx, and indigenous families struggled to afford and obtain adequate child care services. In fact, a typical median-income minority family with two young children would have to spend approximately 56 percent of its income on child care. Moreover, the combination of an inadequate supply paired with extremely high costs left parents with very few options: they could either spend money outside of their budget, find cheaper (and in many cases, lower quality) care, or simply reduce their labor force participation (Schumacher, 2021). New Analysis from the National Survey of Children's Health indicates that these issues were not created but merely exacerbated by the pandemic. Unfortunately, black and multiracial parents were nearly twice as likely than their white counterparts to experience a serious job disruption due to problems with child care. This has caused many parents to leave the workforce and become full-time caregivers, which substantially depleted their benefits and retirement savings.

In response to these concerning statistics, California continued to subsidize a variety of child care programs. However, as displayed through appendix 2, a combination of language barriers, complicated eligibility/enrollment processes, and inadequate advertisement has contributed to lower-than-expected enrollment rates. To start off, the majority of individuals initially enrolled in these programs consisted of Latinos. In this capacity, there was a severe lack of translators that were able to successfully communicate with families attempting to secure their access to this particular resource. Additionally, many Latino families feared any unnecessary interaction with a government entity due to their fragile immigration statuses, ultimately fearing that obtaining subsidized child care may impede their process to citizenship). Also, current rules for subsidized care force parents to resubmit their eligibility information in numerous situations (i.e., changes in income, a work/class schedule, or temporary change in address). Moreover, this would often result in frequent re-reporting by families each month. Given that families attempting to access these programs typically had variable work schedules and limited English proficiency, these burdensome reporting rules would often result in care disruption, undermine parents' employment, and in extreme cases may have also led to the premature loss of subsidized care (Schumacker, 2021).

With the above information in mind, it is vital for the county of Los Angeles to significantly increase funding for subsidized child care and development programs. Given the additional resources available from the American Rescue Plan, there is a substantial allocation of funds that are waiting to be allocated towards a public childcare program (American Rescue Plan, 2021). In addition, a portion of these investments may also be utilized towards the development of better and more efficient advertising campaigns (specifically, consisting of increased translators and intermediaries that may assist families in pursuing these programs).

Lastly, it is essential to address the arduous eligibility reporting rules that bar many families from accessing subsidized care. Perhaps the most beneficial implementation may include a 12-month window eligibility period. This would provide families with a wider time frame to report any changes to their work life, while also enabling children to benefit from stable and positive relationships with caregivers. Not only will this help parents maintain employment and increase earnings, but it will also enhance child development and aid in fostering a new generation of individuals ready to take on the workforce.

Work Advancement and Support Center Case Study

Between 2005 and 2007, the Work Advancement and Support Center (WASC) designed a program aimed at increasing the incomes of low-wage workers. Given the program's primary goal of stabilizing the employment and increasing the incomes of minority populations, an extensive examination of the WASC report will provide fruitful insights on what Los Angeles County can do to provide similar results. Essentially, the WASC program offered intensive employment retention and advancement services for participating workers. This included both career coaching and increased access to skills training. Through the utilization of one-stop career centers that were established through the Workforce Investment Act of 1998, this program uniquely provided all of its services through a single location (Miller, 2012).

In terms of the specific logistics of this program, it was run across three cities within the United States: Dayton, Ohio; Bridgeport, Connecticut; San Diego, California. In addition, it surveyed the general population of each city and targeted the specific population of individuals that were eligible based on their income and education levels. The program ultimately recruited low-wage workers, re-employed dislocated workers, and individuals who had recently lost their job or had become reemployed at a significantly lower wage rate. This population demographic primarily consisted of black, hispanic, and foreign born individuals. Once evaluated using a random assignment research design, each group of individuals was then sorted into either the WASC group or a control group. The WASC group would receive the associated benefits and services of the program, while the control group would only be able to seek out existing services within their community.

For up to two years, individuals in the WASC group were given simplified access to financial work support at the specified WASC location. These included but were not limited to food stamps, medical insurance, and subsidized child care. In addition, participants were also offered services such as career coaching, skills development, increased education about available work supports, and simplified procedures to apply for work supports (Miller, 2012). Under the career coaching model, welfare staff from each respective location carefully worked with participants in identifying both short and long term advancement goals. These goals were aimed at either moving up the ladder at their current occupation, or searching for better opportunities elsewhere. For individuals facing unstable employment, coaching was primarily centered around

identifying and addressing their barriers to job retention. In terms of skills development, the staff at the one-stop centers referred participants to a myriad of training and education programs while also assisting them in securing funding to cover the costs (through WIA or other funds). Next, staff were also able to utilize a web-based tool known as the work advancement calculator. This essentially used the participants' household information to identify the benefits for which they were eligible for, while also calculating the likely effects that those benefits would have on the overall household income. Staff would then share this information with their respective participants, thus enhancing their education of the work supports available to them. Finally, the staff also assisted participants in accessing these programs by reducing the amount of documentation required while also extending the interval for recertification for each benefit (along with including nonstandard office hours to ensure that participants were able to make the most of the WASC program).

In examining the results of this program, this paper will focus on the WASC model from San Diego. This is primarily due to the fact that the results from the WASC program were unique to the specific region of implementation (i.e., the results of WASC in Bridgeport were primarily useful for the state of Connecticut rather than the country as a whole). Moreover, within San Diego, coaching seemed to have the most beneficial effect on participants. This was primarily because there was a severe shortage of funds for low-cost training within the community. Moreover, focusing on career coaching (specifically in regards to advancement at a current employer) and increasing access to work supports (especially in terms of child care funding and assistance with food stamp applications) provided the best results.

In concluding the analysis of the WASC program, it is important to note that a significant portion of the workers enrolled could have received work support in the absence of the program, however, simplifying access to them can actually increase the use of work supports among the population of workers with low participation rates. Moreover, the program ultimately succeeded in streamlining a more integrated workforce development. In this capacity, staff were able to effectively reduce the amount of paperwork and forms that participants needed to fill out in order to access work support. In San Diego specifically, WASC was able to increase the receipt of food stamps for individuals by roughly eight percent. The program in San Diego also had a large effect on the utilization of publicly funding healthcare and receipts of child care subsidies. As alluded to earlier, the program in San Diego also had the most significant effect in terms of encouragement and advancement assistant. However, given that applying for funds through WIA was especially burdensome for working individuals, they are unable to access funds for increased training. Taken together, the above implementations severely increased the earnings of WASC both during the duration of the program and for an additional four years after. This is not to say that individuals suddenly reverted back after four years, but rather, the Work Advancement and Support Center program discontinued their accurate tracking of participants' income and occupational status following the study.

Overall, the findings of the WASC program within San Diego suggest additional considerations of where to target services that may complement/duplicate ongoing efforts within the County of Los Angeles. For example, the program implementation suggests that providing convenient access to work supports may ultimately increase the participation of low-wage workers who otherwise might not even be aware of the benefits they are eligible to receive. However, evidence from the San Diego site also suggests that the specific work supports of food stamps and publicly provided health care coverage should not be the primary component of worker advancement services. This is primarily because individuals from the San Diego site began to reduce their work hours as they began receiving more benefits (Miller, 2012). These findings are also consistent with other research that suggests that increased benefit utilization may discourage work as these benefits would essentially reduce as earnings increase. However, at a minimum, this component of work support should definitely be coupled with job retention and advancement services in order to counteract the potential work disincentives.

Minnesota's Families Forward Program Case Study

In a similar vein to the WASC program, Minnesota's Families Forward program solely focused on training low income workers and providing increased family support to advance the socioeconomic status of participants and their families. Although the Families Forward Initiative has been implemented across numerous states within the United States, this paper focuses on its implementation within Minnesota as the emerging economic issues within that state closely mirror the current economic status of low income families within Los Angeles county. Moreover, the program within Minnesota was funded by the McKnight Foundation and also received the assistance of the Governor's Workforce Development Council (GWDC).

The program itself recruited individuals from current public programs that emphasized rapid job placement for unemployed people. Following the recruitment process, the participants served by Families Forward primarily included women of color with limited prior job training experience. When surveyed by the program in regards to the primary issues affecting their employment stability, the participants noted the most common problems to be a lack of reliable transportation, credit problems, and low levels of social support (Shelton, 2006).

Within Minnesota's Families Forward program, five specific services were offered to aid in the development of participants. To start off, one category of services was labeled 'assessments'. This particular section was designed to personalize the experience of each participant by providing the program staff with a deeper understanding of each participants' skills, interests, and experience to provide training/support that would be most helpful. Secondly, the program offered additional training such as coaching on workplace expectations, basic literacy and mathematical skills, computer skills, and job skills for specific industries. In addition, the inclusion of employment support in the form of job coaching/mentoring proved to be another beneficial service of the program. The inclusion of basic financial help in the form of

tuition costs and small emergency grants (such as for car repairs, etc.) also provided the necessary cushion for individuals to progress throughout the duration of the program. There were also a variety of indirect financial training programs under this umbrella that assisted individuals in securing medical assistance and managing their money. Finally, the program included case management for personal and family support; this included child care assistance, transportation/housing services, and general encouragement. Appendix 3 portrays the participant's ratings of the extent to which the program's services altered certain aspects of their lives.

Participants gained access to these respective services for two years throughout the duration of the program. Following its conclusion, the percentage of employed participants rose by approximately 15 percent. In addition, 53 percent of individuals were reemployed in a high growth industry, and approximately 70 percent of participants experienced a significant rise in their hourly wages. Moreover, the monthly earned income rose by nearly 14 percent, and the percentage of participants participating in employer-sponsored health benefits rose by roughly 12 percent (Shelton, 2006). Note that Appendix 4 displays the increases in hourly wages and monthly incomes for participants of this initiative. Although this program began in 2006, the short term gains provided by each service continued to progress over the following decade, as individuals were faced with greater job security and financial stability.

In concluding the discussion of Minnesota's Families Forward Initiative, it is important to note the kinds of services that produced the best results. By comparing each participants' response to surveys conducted before and after the program, evaluators were able to identify the services that were most greatly associated with increased family and financial stability. Ultimately, the utilization of assessments in personalizing each participants' experience proved to be the most effective. This is primarily because the assessments themselves enabled staff members to direct participants to training that better fit the needs of each individual in their respective industry. In addition, this personalization also aided participants with job placement following their training. Staff members would then provide consultation to each individual in order to determine the kinds of support they would need to maintain their job status (i.e., providing help with child care or transportation services).

Besides the significance of assessments in the Families Forward program, the two other areas that proved to be the most effective were soft skills training and the utilization of intermediary organizations. To start off, the term 'soft skills' primarily includes two distinct behaviors: interaction (i.e., friendliness, teamwork, etc.) and motivation (i.e., dependability, positive attitude, etc.). Training in those clusters of behaviors coupled with better communication significantly increased the attractiveness of participants from the perspective of employers. Also noteworthy is the fact that increased support services such as help with child care and transportation actually reduced the perceived need for soft skills. Furthermore, by reducing

sources of stress, individuals experienced enhanced concentration and productivity, thus assisting them in becoming better employees. Finally, the intermediary organizations proved to be the most effective in meeting the needs of both employers and workers. The key features that made them so helpful were that they involved a partnership of organizations that contained great entrepreneurial leadership, allowing them to flexibly respond to the shifting labor market while also developing lasting relationships (Shelton, 2006).

Taken together, the key takeaways from both Minnesota's Families Forward Initiative and the WASC program indicate the importance of providing training opportunities to low wage workers along with other services to increase the accessibility of a myriad of programs. Under this construct, it is vitally important for the county to ensure that educational institutions are providing fair access to classes that may be helpful in equipping workers with the skills they need to succeed in their jobs. Moreover, educational departments within the county should increase the times at which courses are offered, while also providing asynchronous classes to enable individuals with variable work schedules to pursue their academic endeavors. Not only will this provide individuals with higher levels of education, but it will also enable them to climb up the economic ladder within specific job industries at a much faster rate.

Employee Ownership Models

The final aspect of research revolves around the implementation of employee ownership models to aid in the economic recovery of disproportionately impacted individuals within Los Angeles County. In selecting the best model to pursue as an economic recovery vehicle, it is vital to examine both Employee Stock Ownership Plans (ESOPs), along with Employee Ownership Trusts (EOTs).

At its most basic level, an ESOP essentially provides workers with a certain percent of interest (i.e., ownership) in a company. In utilizing an ESOP, a company's primary motive is to indirectly align their employees' interests with those of the company. This in turn would maximize the productivity and profitability of that specific company. While this particular stock option would ultimately provide employees with the opportunity to purchase shares at a fixed price for a set period of time and also provide cash bonuses for good employee performance, stock appreciation rights would prevent employees from obtaining the value of their shares until they leave the company (either through termination or retirement). In other words, an ESOP is set up in a similar manner to a trust fund. Companies essentially fund the 'trust' with cash to buy company shares, while each employee is granted access to a growing number of shares depending on their respective employment term. In the end, these shares are eventually 'cashed out' once an employee terminates their employment (Internal Revenue Service).

Through the above analysis of ESOPs, it is also important to recognize the risk associated with this type of retirement program. Since ESOPs concentrate the assets into one single security

(i.e., the company stock), they are inherently quite risky. Additionally, each individual employee would ultimately be reliant upon the same company for both their paychecks and retirement accounts. However, despite the above risks, ESOPs are still much better than typical 401(k) plans.

In comparison to the Employee Stock Ownership plan, an Employee Ownership Trust is relatively simple to implement and is also associated with significantly lower legal fees. Under an EOT, shares are held by a trust rather than being based on the allocation of an individual stock ownership. As a result, employees are able to reap the economic benefits more frequently, especially considering that they would receive the profits associated with each share throughout the duration of their employment rather than simply after a retirement or termination. In addition, employers would also have the option to contribute to an employee's 401(k) plan on their behalf, thus aiding in the development of workers' retirement benefits (Employee Ownership Trust Law).

Through the brief comparison of the above two employee ownership plans, it is clear that EOTs would actually prove to be more beneficial for low-income populations. Fundamentally, EOTs have proven to achieve much higher benefits for current and future generations of workers, while ESOPs primarily contain higher benefits for the retired populations (Michael, 2017). Given this conclusion, it would be beneficial to examine best practices to replicate from other jurisdictions in regards to an Employee Ownership Trust model.

Within the United States, the most recent EOT implementation was executed by Optimax Systems, Inc. Founded in 1991, Optimax is regarded as one of the largest manufacturers of prototype optics in the country. The company's high-quality precision optics are essential for a wide array of emerging technologies that are employed across different sectors. As a result, Optimax currently received an annual revenue of approximately \$50 million. From the beginning, Optimax has always enjoyed a worker-centered approach. In fact, the company hires the majority of its employees immediately out of high school, teaches them how to make each precision lens, and then continues to support each individual at nearby community colleges and four-year engineering schools (Kahn, 2021).

In early 2020, Optimax began transitioning to the Employee Ownership Trust structure, with the primary goal of generating more good jobs for the region while developing their company. Optimax had previously shared 25 percent of their monthly profits, then equal to 1000\$, with their employees, and their structure under an EOT continued this tradition. Each dollar the company receives in profit is divided with 25 cents going to employees, around 25 cents going towards taxes, and approximately 50 cents going back into the business to finance growth (Kahn, 2021).

After viewing the beneficial results that the EOT model had on both employee satisfaction and overall company profitability, Bicycle Technologies International (BTI) also transitioned to an EOT structure. Founded in 1993, BTI services bicycles and sells bicycle parts. Following a similar breakdown in distribution as Optimax, BTI has noticed a significant culture shift among employees since transitioning in February 2021. The company has found that employees have begun taking greater interests in customers and suppliers, given that the EOT model ultimately increases the paychecks of employees as the overall profits of the business increase. Moreover, the EOT structure provides employees with an incentive to improve the business, and each payment that the business delivers to the worker is also tax deductible.

A key takeaway from the above two examples is that EOT implementations essentially ensure the longevity of a given corporation. According to Optimax, the rise of EOTs appears to be an evolution of capitalism, in which the wealth generation can now be shared with the workers. If companies across the nation, including Los Angeles County, begin adapting to these models, it will strengthen communities by reducing the wealth that is currently going to the top one percent. Moreover, it would be extremely beneficial for the county of Los Angeles to encourage businesses to transition to an Employee Ownership Trust Model in which 15-20% of profits goes to employees, 25% goes to taxes, and roughly 55-60% goes back to the business for the employers and overall growth. In this construct, it is important to note that the range of 15-20% provides different businesses with more leeway. For example, small businesses may only be able to distribute 15% of their monthly profits with employees, while the upper portion of that range might be more sustainable for a larger corporation. Additionally, it is extremely important to have at least 55% of the profits going back into the business, not only to foster more growth and ensure the vitality of that specific business, but also to enable these businesses to pool more resources into areas that may benefit their employees (i.e., through increased transportation services or the inclusion of child care programs within the business itself). It may also be beneficial to include a provision for businesses to utilize a small portion of that 55-60 percent that must be used to directly benefit their employees. Besides the services discussed earlier, this portion may also be used to provide employer-based tuition reimbursement to low-wage workers that do not require them to pay the full amount out-of-pocket, since the skills they will be gaining through the educational programs will not only help the employees succeed, but it would also increase the profitability of the business as they continue to expand.

Conclusion

With the Covid 19 pandemic leaving drastic economic effects on minority populations within Los Angeles, the county should highly consider implementing the policy recommendations discussed in this paper. Although solely implementing certain programs such as increased access to work supports may initially hinder the motivation of individuals to return to work, the collective implementation of programs, including the adjustments of an EOT model,

will ultimately encourage the targeted population to resume their occupations. With these policies, the economy of Los Angeles county will be able to accomplish both short term and long term success.

In the short term, the proposals listed throughout this paper, primarily involving child care and career coaching, will provide greater job stabilization for low income families within this region. In the long term, the proposals revolving around the implementation of an Employee Ownership Trust and increased training for new job skills will reduce future job insecurity while also shifting individuals into high growth industries (which in Los Angeles County, primarily refer to the sectors of healthcare and technology). Taken together, these policies will be extremely effective in ensuring economic opportunities for the disproportionately impacted communities of Los Angeles County.

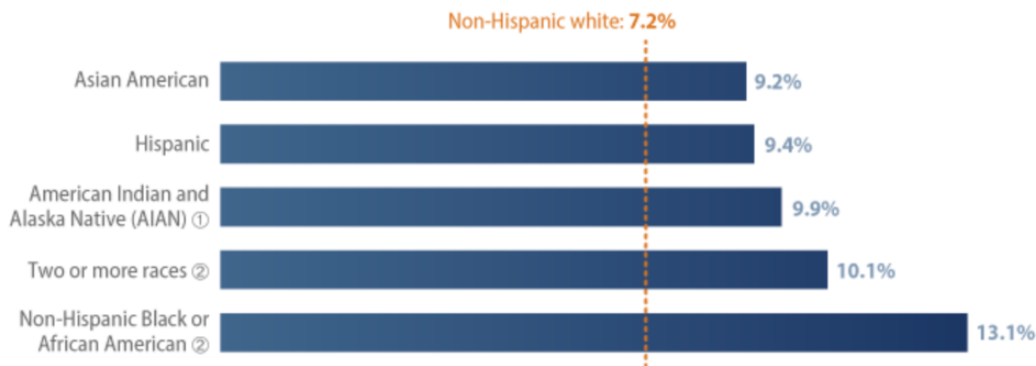
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Appendices

Black and multiracial families are more likely than white families to experience job disruptions due to child care

Estimated percentage of parents who quit a job, did not take a job, or greatly changed their job due to problems with child care, by race and ethnicity



① Estimate for AIAN families is based on a small sample size and should be interpreted with caution.

② Estimates for these groups are higher at a statistically significant level than those for non-Hispanic white families.

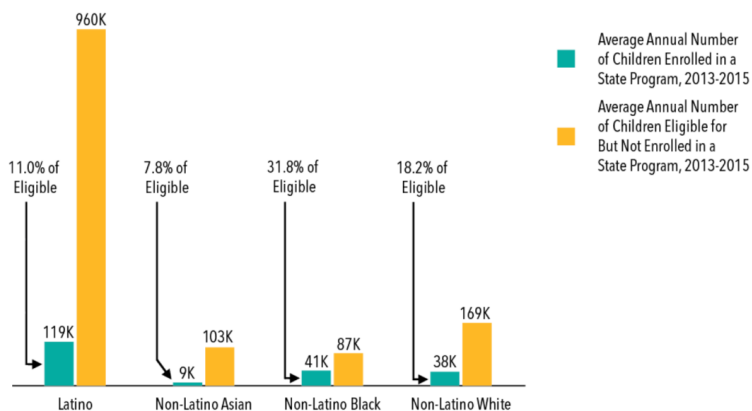
Source: Author's analysis of 2016–2018 data from the U.S. Census Bureau National Survey of Children's Health. See U.S. Census Bureau, "NSCH Data," available at <https://www.census.gov/programs-surveys/nsch/data.html> (last accessed June 2020).



Appendix 1: Racial Breakdown of Job Disruptions based on issues with Child Care

Enrollment in Subsidized Child Care and Full-Day State Preschool Varies by Race and Ethnicity

Estimated Average Annual Number of Children Eligible for Subsidized Care = 1,589,000*



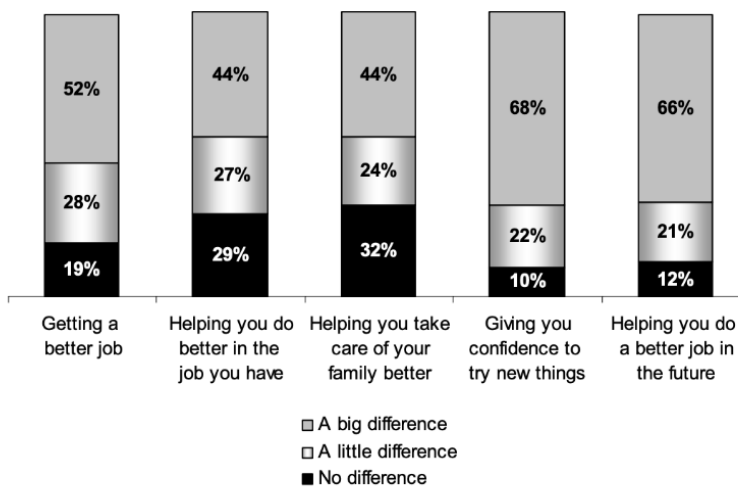
*Estimate is an annual average of data for 2013 to 2015.

Note: Includes children enrolled in the full-day California State Preschool Program (CSPP). Excludes children enrolled in the part-day CSPP. Data are not available for California Community Colleges CalWORKs Stage 2. Race and ethnicity data for CalWORKs Stage 1 are estimated.

Source: California Department of Education, Department of Social Services, and Budget Center analysis of US Census Bureau, Current Population Survey data



Appendix 2: Ethnic Breakdown of Enrollment in Subsidized Child Care Programs



Source: Wilder 24-month follow-up survey of participants.

Appendix 3: Participant’s Ratings from the Minnesota Families Forward Initiative

	Two-year change in hourly wage		Two-year change in monthly income	
	All Families Forward participants	Low-wage workers in general	All Families Forward participants	Low-wage workers in general
Unadjusted	11.8%	5.9%	14.0%	5.9%
Adjusted for inflation	6.9%	1.0%	9.1%	1.0%

Appendix 4: Two-year changes in hourly wage and monthly income following Minnesota’s Families Forward Initiative

Resource Democracy: Ghana

Kaylanie Johnson

Introduction

In March 1957 Kwame Nkrumah declared independence for Ghana — formerly referred to as the “Gold Coast” — from the British Government and established a Republic. Ghana was the first sub-saharan nation to gain independence from British colonization. Peaceful political protests and armed resistance aided in the declaration of freedom against Britain. This major win for the region was described by Nkrumah as “a spearhead for the liberation of the rest of Africa from colonial rule and the establishment of a socialist African unity under his leadership” (Britannica, 2001). The passion and pride exerted from Ghana’s citizens was felt around the continent.

Multiple African leaders advocated for African socialism to be the new uniting cause that would replace the anti-colonial movement in Africa. The agenda put in place by President Nkrumah, however, abandoned many socialist ideals and exploited its majority. The decline of freedom was apparent by the mid-1960’s, with the role of the government heavily impeding not just the democratic process, but the lives of individuals in the state.

The industry of agriculture makes up 54% of Ghana's GDP and under President Nkrumah, 10% of all agricultural earnings were taken by the state. It was also demanded that local-level development workers in Ghana were to act as an extension of the state and spy on fellow citizens for threats to the president-turned-dictator’s rule (Skinner, 2011).

Disapproval for the president was rising and the future of Ghana became something that many different actors wanted to change. A viable solution for a crisis of political legitimacy of credibility, confidence and trust in existing political institutions constitutions-seem to be the dominant public preoccupation in the west African nation (Owusu,1979). In 1966, a coup deposed President Nkrumah. The coup d'etat was the first of many, and following this period, Ghana alternated between democratic rule and military dictatorship. (Appiagyei-Atua, 2008).

The sequence of democratization that Ghana has undergone truly began in 1992 when Jerry Rawlings was elected president. The decentralization of government was apparent in the newly produced Ghana 1992 Constitution. The country's need for stability and helpful political power created a landscape for the introduction of a new constitution. The installment created a stronger relationship between people in the region through political activity. This in turn increased political participation and made a path for a more accountable and responsive local government (Crawford, 2009). Improving the economy, strengthening ethnic gaps, and

emphasizing the wants of the citizenry were at the forefront of what the Ghanaians expected of their government.

Through collective efforts, people were finally given authority over their leadership. The vision of a government concerned with the wants of its citizens never waivered. Since 2008, Ghana has held multiple free and fair elections, smooth transitions of power, and installed agencies to combat the threat of corruption. Ghana has one of the largest economies in the African region as the economy has expanded by 3.9% yearly (Sasu, 2021). Ghana's growth momentum can be attributed to its export goods.

Ghana is not new to resource wealth. The country has been rich in gold, timber, cocoa, beans, and more. (Gyimah-Boadi, 2012). The consolidation of agricultural efforts and a wish for a functioning democracy spurred their democratic process. The pattern of incomes' effect on democracy is consistent with the idea that societies embarked on divergent political-economic development paths at certain critical junctures (Acemoglu et al., 2008). Ghana's critical point was the 1996 re-election of Jerry Rawlings. The responsiveness of the Ghanaian government and the citizen's maintenance of democratic practices such as voting under the threat of radical groups aided the continuation of democracy. Moreover, the resource wealth of the country leads to the theory that Ghana has been able to achieve a successful democracy after a tumultuous period in spite of a political history and conflict from neighboring countries because it exploited its natural resources and remained active in maintaining democratic processes. Effective voting and campaigning, a successful economy, and a responsive government are components of Ghana's successful development towards its democracy. The following sections will discuss these topics and themes and ultimately show that cooperation between citizens and political actors have pushed both sides towards participation in the democratic process through effective campaign strategies and political communication.

Review of the Literature

“Hwimhwim adee ko srosro” translates to English as “what comes easily goes easily.” The push and pull of democracy in Ghana has shown truth to this popular Akan proverb. The system of Democracy and what the implementation of its governance entails has gained popularity around the world (Gilley, 2009). The persistence of Ghanaians in pursuing political stability and unwavering want of democracy is what created the political environment that could endure coup after coup. The literature that currently exists surrounding Ghana praises its consolidation of democracy and seeks to explain their system of democracy compared to other sub-saharan countries. Observing the coup-prone state convert into one of the most successful African countries, “academics, political practitioners, and interested observers of politics in Ghana often agree on one thing: a robust and positively linear evolution of democratic practice in this West African nation-state has been nothing but spectacular.” (Keteku, 2017).

Ghana's responsive political system has also been studied widely. When examining Ghana's citizen engagement Terence Darko found that as Ghana went through democratic consolidation, having a vibrant political society – including a vocal media – made the government more responsive to citizens' demands (2017). Ethnic politics is a recurring issue of contention in the Ghanaian political world between the two major political parties, the New Patriotic Party and the National Democratic Congress. These political parties are often identified with particular ethnic groups, and ethnicity is a major determinant of vote choice in sub-Saharan Africa (Ichino & Nathan, 2013). Issues that continue to arise in Ghana pertaining to cross ethnic issues, or leadership complaints could have potentially destroyed the democratic culture that was so long in the making in 2002.

So, how have the differing opinions of citizens been kept so civil? The value of discussion and maintenance of Ghana's political parties were reinforced by the country's economic prosperity. When there is an economic incentive for cooperation, democracy can thrive more easily; voters are essentially investing their political support in candidates who — no matter their ethnicity — are all working together to ensure the longevity of democracy in Ghana through balance of power and constructing financial growth through the country's resources.

Accountability

Communication between the state and citizens is an essential element in establishing and maintaining a democracy. “Growing social inequalities, lack of proper public services, and denial of basic human rights all act to widen existing communication gaps” (Darko, 2017). The government has to be in tune with the interests and disapprovals of the citizenry. Research on the creation of Ghana's National Health Insurance Scheme (NHIS) in 2004 shows how the state behaves in instances of accountable governance. The NHIS was a landmark social justice policy process in Africa that provided basic health care coverage to Ghanaians. With the restoration of financial discipline resulting in significant progress toward attaining macroeconomic stabilization, there were significant democratic developments in Ghana involving major policy proposals and parliament cooperation. (Press Release, 2002)

Political accountability in the government improves the landscape for democracy, as shown in Ghana. Since the early 1990's Ghana has been consciously creating policy efforts to reduce poverty by attempting to take advantage of the country's regions that are endowed with profitable resources such as gold, timber, and cocoa. As a result, the overall poverty rate has fallen from 51.7 percent in 1991/92 to 39.5 percent in 1998/99” (PR, 2002). In 2002, Ghana's government developed a detailed plan that proposed its democratic efforts and plans for economic growth. This plan and its agreed measures were constructed to receive the debt relief package offered by the Heavily Indebted Poor Countries (HIPC) Initiative. The government's achievement of the loan allowed for democratic focus on politics and motivation to continue its plan. The country's economic success at the time due to its high production access to debt relief

and the adoption of a Poverty Reduction Strategy Paper influenced the government's decision to enact a health insurance policy (Darko, 2017). Parliament's delivery on the promise of national healthcare was the direct result of the country and its aided, and focused democratic efforts. This increased the government's level of reliability to motivated voters.

“Beyond participation, the Ghanaian constitution also contains provisions for transparency and accountability mechanisms. For instance, in ensuring financial discipline and effective management of resources and economic governance to meet the needs of citizenry, it provides for institutions that exercise stringent control on the use of public resources” (Darko, 2017).

The government of Ghana knew the importance of accountability when creating a constitutional democracy. The responsibility the government owes to voters to protect their interests and ability to communicate is vital. Voting is an accountability mechanism ensuring Ghana's democracy. Economic growth is fueling the relevance of retrospective voting as a tool of accountability in the Ghanaian elections. The condition of the country and where Ghana's potential is being taken is considered when voting.

Voters' perception on government performance can be more focused on when the economic environment is conducive for fair and safe elections. In establishing its democratic process the votes that were cast in Ghana were made through retrospective voting. While African countries suffer from a myriad of ailments, they also inhabit an “emerging” region demonstrating strong macroeconomic growth accompanied by social improvements (Radelet 2011).

Moreover, the continent's history of abusive leaders and extremist groups inform voters' decisions. Results of a research study by Erin Ellis present statistically and substantively significant evidence that African voters are retrospective; as perceptions of the government's general performance or handling of particular social and economic issues improves, so does the likelihood of incumbent support, and vice versa. (Ellis, 2014).

Campaigns and Strategies

The campaign strategies of Ghanaian politicians are greatly affected by economic prosperity and promises of democracy. Ghana's economic strategy since 1992 has focused on macroeconomic stabilization and structural reform in a democratic environment (Mills, 2018). The participatory approach to economics in the region and politics aided in the occurrence of peaceful presidential campaigns in Ghana.

The article *Africa in Focus* views Ghana through the paradoxical lens that it is similar to other regions in its potential but differs in the political capabilities. When examining the elections that occur every four years the subject matter of issues typically has stayed the same throughout its democratic cycles. “Voters' wants and issues are contested on the basis of promised infrastructure projects, utility price reductions, the restoration of allowances, payment of arrears, and the elimination of (school) fees, etc” (Mills, 2018). The two dominant political

parties once again being the National Democratic Congress and the New Patriotic Party with neither party being associated with consistent and coherent policies to favor a particular socio-economic group or economic activity. (Mills, 2018)

Soundbites in Ghana have become an essential component during elections. Soundbites are short, catchy, but powerful messages released from candidates. There is research that shows its growing importance on presidential elections. There have been various soundbites that encourage political participation and democratic awareness. Examples include the use of the word “Edzumawura,” which means “owner of jobs” (Kofi Preko, 2019). This is synonymous with creating employment for the country. Ghana’s most popular source of employment is assisting in the country’s exporting relations as more than half of the population is working in the agricultural sector.

The results of the journal were compatible with the rational choice theory set out by political scientist Gary Becker, which suggests that voters seek to cast a vote based on the maximization of utility the candidate will have. Responses to the journal's questionnaire supported the retrospective voting tactic of Ghanaians. This occurred as the 557 Ghanaian voters aged 18 years and above who participated in the election considered examining contents of political campaign promises, an assessment of the quality of the candidate, and the policies and performance of the incumbent party (Kofi Preko, 2019). Research found that Ghanaian voters actively engaged with soundbites during election campaigns and used a rational approach when voting in addition to the soundbites.

Oil Wealth

The link between economic development and democracy is a phenomenon that can be examined in Ghana. Seymour Martin Lipset was one of the first proponents of the “Theory of Modernization.” The theory seeks to provide a causal explanation about the result of economic growth and democracy. The more economically developed a country is, the higher the chances are of democracy's sustainability. The theory mentions how “modernization favors democracy because it enhances ordinary people's abilities and motivation to demand democracy” (Inglehart, 2010). The natural wealth of Ghana had always been shown through export of agriculture but the most recent resource that was found has already surpassed the record of previous resources.

In 2007, there was a discovery of the Jubilee oil field in the Gulf of Guinea. The field was found off the western end of Ghana's shoreline. The appearance of the oil came with a sense of discretion by leaders since they were familiar with the implications of this resource. The continent of Africa is abundantly rich with minerals and crops. However, the exploitation of these lands and corruption in governments has created a sense of unluckiness when a valuable resource appears in an area. The failure of Nigeria, Chad, Angola, and Sudan to use their oil resources to benefit their respective countries has contributed to corruption, violence, and decimation of governments.

To avoid the possibility of mismanagement when it came to this resource a committee was established to ensure proper management. In 2011, Ghana enacted a Petroleum Revenue Management Act. In the act, the Public Interest and Accountability Committee was created to ensure accountability, transparency, and to monitor the progression of oil production and revenue. The committee's purpose, at least superficially, is to ensure that the oil that was found will continually benefit all the citizens of Ghana.

Resources and Voting Efficacy

The appearance of the Jubilee oil field aided in democratic efforts. As the appearance of this wealth came before the 2008 presidential elections. The 2008 election repeatedly mentioned export plans that involved gold, cocoa, timber and crude oil (Keteku, 2017). Questions of corruption prevention and proper oil distribution were popular during the campaign trail. At a debate President Mahama was emphasizing the importance of delicately introducing oil in Ghana's trade deals. President Mahama stated during a debate "It doesn't pay to have such a God-blessed resource and just have foreigners come and take it away without any benefit to your people, " (Burke, 2012). The economic promise of the country aided in democracy and gave Ghanaians a sense of leadership control in what was being presented before them.

Examining this under Lipset's theory, the candidates knew the importance of economic development on the future of presidential elections. The wealth that is being encouraged by leaders and the outcomes that are being predicted or prevented show that the expected wealth was being projected to aid in sustaining democracy in Ghana. This then goes to encourage government effectiveness since the stability of financial development and prolonged effectiveness breeds legitimacy in a country's political system. Africa's varying history with waves of democracy demonstrates how easily shaken democracy can be. The establishment of a strong economy was in the best interest of the leaders and citizens of Ghana. Oil production and its prospects demanded a stable economic structure dissimilar to neighboring African countries. The wealth that was predicted to be brought in and spread increased the probability for Ghana's democracy to solidify from that year and on.

Data

A study done by Leonard Wantchekon and Nathan Jensen posited that resource wealth was a major determinant in democratic governance in Africa, and that policy is largely based on resources' potential profitability. The study presented empirical evidence that tells a story of resource correlation between a large profitable natural resource and lack of democracy. The study describes countries that have very high levels of "resource rents" available. In countries where the resource rents are high, the course of politics is dominated by policies of redistributing the wealth made from exporting the country's resources. This then takes away from forming actual ideologies in a democratic system and instead goes into forming pure issue stance rhetoric that never allows for all issues and needs to be brought up in election cycles.

The authors find that countries rich in natural resources can only become democratic by instilling systemic vertical and horizontal accountability within the nation (Wantchekon & Jansen, 2004). In the context of Ghana, the country was endowed with a surprise natural resource and the first aim of people and officials was to ensure that resource be dispersed among all Ghanaians. The economic prosperity brought on by this process of export allows for economic success. It's also to be predicted that the wealthier the country, the better the provision of public services.

In 1983, Jerry Rawlings, along with the Provisional National Defense Council (PNDC), created for Ghana “a structural adjustments economic reform” that carried them into a new democratic regime and greatly affected the economic development of the country (Lynsey, 2020). The defense council was formed to use the country’s natural resources to increase economic production. “The economic objectives of the PNDC were to halt Ghana's economic decay, stabilize the economy, and stimulate economic growth. The PNDC also brought a change in the people's attitude from a 'government will provide' position to participating in democratic nation-building” (Sasu, 2021). Data shows that Ghana has strengthened its democracy by building policy brought on by its agricultural value and natural resource trade success. Another agriculture based proposal is Ghana's Strengthening Accountability Mechanisms (GSAM). This is a five-year project that seeks to “strengthen citizens' oversight of capital development projects to improve local government and its devotion to the democratic process. Finally, the Ghana Shared Growth and Development Agenda (GSGDA 2010-2013) focused on supporting oil and gas development, with investments in infrastructure, energy, housing and agricultural processes. The agenda focuses on battling poverty, and increasing access to health and education for citizens. The push toward democracy has persisted due to policies like these as it increases quality of life in the African country and political stability. The Global Economy reports that the current rate of political stability in Ghana is 0.13 points. For comparison, the world average in 2020 based on 194 countries is -0.07 points, with Ghana being in the top 10 most politically stable African countries. Ghana's rate has persistently increased over time. Policies like the ones mentioned above have strengthened Ghana’s reputation, and fortified its capability to maintain its democracy.

Conclusion

The findings of this paper suggest that the country’s natural resources were the beginning source of power in achieving democracy in Ghana. Its inspiring potential created opportunity for growth and became a rallying force for political change towards a democratic fate. Ghana’s prosperous land, reactive political platforms, and civic encouragement of democracy caused a stimulation in economic growth and also in the country’s employment sector. The abundance of resources and its ability to assist in creating jobs and opportunity developed the country of Ghana. Citizens and political actors turned what is culturally viewed as a “curse” into a long lasting system of government. Ghana has been able to achieve a successful democracy after a

tumultuous political history and because it exploited its natural resources and remained active in maintaining the democratic processes. Effective voting and campaigning, a successful economy, and a responsive government are components of Ghana's successful development towards democracy. Political communication, cooperation and participation benefits both citizens and political actors and in tune has strengthened the country's democratic process. These findings can assist in research and serve as a political blueprint for other African countries. Ghana resembles many other countries in Africa. The possession of resource-rich lands and tenacious goals towards democracy allow for the possibility of creating another country just as successful as Ghana.

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