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Florida Political Science Association

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Editor Marco Rimanelli, Ph.D.



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Florida Political Chronicle

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Current and past issues of the *Florida Political Chronicle*, as well as on-line Archive of older issues are **FREE** for readers by clicking on the Florida Political Science Association's Website either: <http://www.fpsanet.org/chronicle.html> or <http://www.fpsanet.org/archive>

- ESSAYS SUBMISSIONS REQUIREMENTS -

The *Florida Political Chronicle* is the regional scholarly journal of the Florida Political Science Association, printed on-line twice annually to serve the academic disciplines and professors of Political Science and International Relations in a balanced, apolitical and analytical way. This scholarly journal encourages scholarly submissions from all Political Science disciplines: American Politics, Theories, Comparative Politics, International Affairs and Security, Diplomatic History, International Political Economy, Public Administration, International Law and Organizations.

Please e-mail Editor Marco Rimanelli (Marco.Rimanelli@saintleo.edu) all essays for consideration:

1. **Essays in Word** not PDF.
2. **Author's Biography** at paper's very end (2-paragraphs, with years of Ph.D. and M.A.).
3. **Abstract** and **Bibliography** required.
4. **Do not use the First Person ("I")**; instead use the neutral "The author", "The study" or "This work".
5. Standard length varies, with maximum length at 10,000 ca. words and 1-inch margins. Tables in the text or as appendixes must fit a 1-inch margin (**no landscape-size Tables!**).
6. **Footnotes** preferred style (at end of each page) is the Chicago Manual of Style, but accepted are also APA, APSA or others if the author has a finished work for review. Otherwise consult the Editor.
7. All essays are selected based on a "2 Blind Reviews" process (yes, I have 2 blind mice!) and those accepted for publication will incorporate editorial modification and suggested changes by Reviewers.
8. **Book-Reviews** are welcome on any related topic! Submit 2-to-7+ pages-long Book-Reviews **in Word**.

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PUBLICATIONS: FLORIDA POLITICAL SCIENCE ASSOCIATION

Florida Political Chronicle

<http://www.fpsanet.org/florida-political-chronicle.html>

The *Florida Political Chronicle* is the bi-annual scholarly publication of the Florida Political Science Association, which encourages submissions from all the discipline's sub-fields.

Please contact the journal's **Editor Marco Rimanelli** of Saint Leo University at marco.rimanelli@saintleo.edu for more information about submission guidelines.

The Political Scientists: Newsletter of the Florida Political Science Association

<http://www.fpsanet.org/political-scientist.html>

The *Political Scientists* newsletter is a semi-annual publication of the Florida Political Science Association. Please contact the newsletter's **Editor Denis Rey** of University of Tampa at denis.rey@ut.edu for more information about submission guidelines.

See FPSA website: www.fpsanet.org



FLORIDA POLITICAL SCIENCE ASSOCIATION



Our Mission: The Florida Political Science Association (FPSA) is committed to promoting Political Science research, education and service throughout the State of Florida. Our board of officers represents the diverse educational opportunities available for higher education in Florida. Spanning from the University of West Florida-Pensacola, to University of Central Florida-Orlando, to Barry University, to Flagler College, to Florida International University, to University of Miami, to Saint Leo University, etc., our regional scholarly association covers the “Sunshine State” bringing together Political Scientists and International Affairs professionals from public and private institutions to network, collaborate on research and discuss innovative strategies in the classroom.

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- Renewal of Membership without Conference Registration: **\$40**
- Includes annual Membership & Subscription to *Florida Political Chronicle* & *Political Scientist Newsletter*.

Any problems contact FPSA Treasurer Dr. Aubrey Jewett at e-mail: Aubrey.Jewett@ucf.edu

See on pages 5-6 the Announcement for the next FPSA Annual Conference.



Florida Political Science Association Annual Meeting: Saturday, 2 March 2019 University of Tampa, Florida

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The 2019 FPSA Annual Meeting will be held at the **University of Tampa** in **Tampa, Florida**. All information on conference program, driving directions, parking and hotels will be posted on the FPSA website by **January**.

Pre-registration before the conference day is **\$75** for faculty and **\$35** for students. All paper presenters, panel chairs and discussants are asked to pre-register. **Registration at conference** is **\$85** for faculty and **\$40** for students. Registration includes conference, lunch, refreshments and subscription to the *Florida Political Chronicle*. To pre-register please go to the FPSA website: www.fpsanet.org

Faculty, talented undergraduates and graduate students are encouraged to submit papers. A \$250 award is given to the FPSA Best Graduate Student Paper presented at the conference and a \$200 award will be given to the FPSA Best Undergraduate Student Paper. **Please send paper proposals to the following Section Chairs by 7 December 2018. Accepted papers will be notified by 7 January 2019.** All proposals must include: name, institution, rank (Faculty, graduate student, undergraduate student, or general public), contact information, paper title and an abstract of between 150 and 250 words.

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Roundtable: Teaching Political Science	Kelly A. McHugh Florida Southern College	mchugh.kellyann@gmail.com 863-680-4111
Roundtable: Media & Politics	Frank Orlando Saint Leo University	francis.orlando@saintleo.edu 352-588-8414
Roundtable: World War I Centennial & League of Nations' Lessons	Marco Rimanelli Saint Leo University	marco.rimanelli@saintleo.edu 352-588-8277

Call for Submissions to the *Florida Political Chronicle* journal. Scholarly articles from past FPSA conferences are welcome as well as other papers that have not been previously published. Please contact and submit to Editor Marco Rimanelli at Marco.Rimanelli@saintleo.edu to start the peer review process.

See the FPSA website for conference information and archives of the *Florida Political Chronicle* and *Political Scientist*: www.fpsanet.org

President's Address: Troubled Times for Democracy?

by FPSA President Kelly A. McHugh, Ph.D., Florida Southern College, Lakeland

President's Address: Troubled Times for Democracy?

This semester, I have the privilege of teaching the senior capstone course for the Political Science major. This course serves two purposes; first, each graduating major must demonstrate an ability to produce a major research paper that meets the standards of scholarly research. Second, the course gives our majors time to reflect on a "big question" in politics and the role of the discipline in addressing it. To this end, I decided to structure my course around the topic of democracy, with an express focus on analyzing whether or not democracy is in danger at home and abroad. This topic seemed ideal to me, as the study of democracy crosses all three major sub-fields of Political Science – American Politics, International Relations and Comparative Policies, allowing for rich discussions. Moreover, even a cursory perusal of the news appears to validate the view of democratic pessimists, with political gridlock and polarization prevailing in consolidated democracies the United States and United Kingdom; concurrently, authoritarian regimes like Russia and China are aggressively expanding their global influence.

An in-depth examination of the meaning of democracy seemed especially important when considering the students in the class. The political attitudes and worldviews of their generation (variably dubbed the "Post-millennial" generation or "Gen Z ") are not yet clear. Members of this generation, who are currently aged between 13 and 21, are highly diverse (48% of its members are non-White), technologically savvy and educated (Fry & Parker, 2018). This generation also came of age in a time of social and political *malaise*, experiencing political gridlock and economic uncertainty at home, all while witnessing the U.S. becoming more deeply entangled in protracted conflicts in faraway places.

A spate of recent studies on the attitudes of the "Millennial Generation" (the generational cohort that preceded the current "Gen Z"), has caused some analysts to worry about the future of liberal democracy. Alarming, a study on the attitudes of American "millennials" (roughly defined as those born between the late-1970s and late-1990s) found that a substantial proportion appears to be apathetic about the superiority of democratic political systems. When asked to rank, on a scale of 1-10 with ten being the most important, how important it was to live in a democracy, only 30% of "millennial" respondents selected a score of ten. Data collected in 2011 was similarly concerning, with 24% of U.S. "millennials" indicating that they believed democracy was a "bad" or "very bad" way of running the country (Foa & Mounk, 2017, p.7-8).

These equivocal attitudes appear to be reflected in the political behavior of this generation, which votes at rates lower than any other eligible cohort. During the 2016 election, turnout for "millennials" eligible to vote stood at 51%. Subsequently, during the 2018 midterm election, youth turnout did increase from the 2014 numbers; still, only 31% of eligible voters aged 19-to-29 years participated (Fry, 2018; Center for Information & Research on Civic Learning & Engagement, 2018). Moreover, recent polling data suggests that this apathy about democracy may extend to foreign affairs; in a 2018 report from the Chicago Council on Global Affairs, only 51% of "millennials" agreed that with the statement "it would be the best for the future of the country if we took an active part in world affairs" (Jentleson, 2018). "Millennials" were the generation least likely to support active involvement in the world, suggesting that after the seemingly interminable wars in Afghanistan and Iraq, this cohort may simply be skeptical of nation-building endeavors designed to promote democracy.

Happily, the students in my capstone class evidence no such apathy. They are already exemplars of engaged citizenship; they eagerly vote in local and national elections, follow both national and international politics, and work on behalf of political campaigns and social movements. Nevertheless, I wanted to help them understand why so many of their fellow citizens are skeptic on the need for democracy at home and abroad.

To this end, I organized the class around seven questions regarding democracy:

1. What is a democracy? What is not a democracy?
2. How do different democratic systems shape political outcomes?
3. How democratic is the U.S.?
4. Is democracy in decline globally?
5. What is populism? Is it good for democracy?
6. Does technology undermine or strengthen democracy?
7. What is the future of democracy?

Although we are only partway through the semester, my students have evidenced a keen ability to grapple with these complex questions. They recognize that in between democracy and dictatorship are a whole range of semi-democratic hybrid-régimes, none of which meet the standards of modern liberal democracy. They recognize that populism can energize voters and be a potent force for change, while at the same time possessing the capability to empower demagogues and divide the population. As a generation that grew up with social media, they see how the rapid diffusion of this technology allows people living in repressive régimes to subvert government censorship and express dissent; they also see how these same tools were used in our democracy to spread misinformation and promote conspiracy theories.

The students in this graduating class and in fact all of my students, make me optimistic about the future of our democracy. In talking with them, I do not see any rejection of the principle of liberal democracy; instead, my students recognize the complexity and nuances of living in a democracy, where the protection of the minority may be in tension with the will of the majority, where inclusively in the decision-making process may come at the expense of policy efficiency and where we must listen to – and ultimately try to understand – the views of those with whom we vehemently disagree.

The submissions to this year's annual meeting of the Florida Political Science Association only further my optimism. We look to have another record-breaking year, with dozens of papers slated to be presented at the meeting. Notably, we continue to receive a large number of proposals from both graduate and undergraduate students. These students, who will become our future educators, elected officials, activists, and entrepreneurs, are grappling with many of the challenges currently faced by democracies. They are asking important questions about the world in which they live, and more importantly, seeking solutions to the problems that currently face us. We hope to see you at the University of Tampa on 2 March 2019, to participate in these exciting debates.

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Kelly A. McHugh, Ph.D.

Dr. Kelly A. McHugh, Ph.D.
President FPSA & Chair Political Sciences Department
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Editor's Introduction: New Thoughts on Political Crises

by Marco Rimanelli, Ph.D., Saint Leo University & Fulbright Chair College of Europe-Bruges

Dear FPSA Political Scientists and "Fellow-Travelers",

welcome to a new edition of the *Florida Political Chronicle*, the regional journal of the Florida Political Science Association (FPSA) published on-line and in colour, with all issues free on the FPSA website (www.fpsanet.org) as resource for members, scholars, students and public interested in domestic and international affairs, as well as the work of the FPSA. I am very pleased to announce that EBSCO has now included the *Florida Political Chronicle* and all its past issues as current references in all library and university searches.

This new *Florida Political Chronicle* issue (vol.26, n.2, 2018-2019, tot. 138 pages) welcomes our readers to an "Introduction" (p.9-10) from our President of the Florida Political Science Association, Dr. Kelly A. McHugh of Florida Southern College, followed by four scholarly essays and Book Report.

The first essay, "Mexico and Taiwan: the 'Two Turn-over' Theory Confirmed" (p.14-27) by Professor Jack J. McTague, Ph.D. of Saint Leo University, compares similarities and differences in the political struggles of Mexico and Taiwan. Both countries underwent a gradual process of democratization during the 1990s the two long-running one-party semi-dictatorships of Mexico (under the Institutional Revolutionary Party-PRI since 1929) and Taiwan (under the Nationalist Kuomintang-KMT since 1949 after it lost Mainland China to the insurgent Communist Party) fell out of power in the 2000 democratic elections. Following the late-Samuel Huntington's "Two Turn-over" theory, both countries saw their respective old dominant parties return to power again—KMT in 2008 and PRI in 2012—only to lose it once again in the latest 2018 Presidential elections.

The second essay, "The Antarctic Frontier in International Relations" (p.28-62) by Professor Kern William Craig, Ph.D. of Troy University, AL, follows on his earlier published work on the Arctic Frontier or North Pole (*Florida Political Chronicle*, vol.25, n.1, 2016-2017, p.85-107) on the political and International Law interplay between competing nations over the continent of Antarctica (South Pole) and its exploration, territorial claims, regional neutralization and unfolding climate changes.

The third essay, "Be Careful and Watch What You Say: Brailey Odham and the Politics of Race in Mid-Twentieth Century Florida Gubernatorial Elections" (p.63-76) by Professor Michael H. Hoover, Ph.D. of Seminole State College in Sanford, FL, describes the competing clash of new economic development pressures vs. old White reactionary resistance to voting and civil rights for local African-Americans in 1950s Florida. This essay focuses on the political life of Brailey Odham who ran for Governor of Florida and who, despite a Southern cultural background, evolved in his support of Black civil rights. Odham can be considered a "progressive-populist" and the among the first "New South" politicians seeking to eliminate the "Old South" rural and racist control of Florida politics with its long history of discrimination nation-wide.

The fourth essay, "Crime, Drugs and Power in Honduras: Searching for Better Measures of State Fragility" (p.77-122) is a long comprehensive country-study report by Kari Williams, M.A. of the Center for Global Economic & Environmental Opportunity—University Central Florida in Orlando and Rotary Peace Fellow, which the *Florida Political Chronicle* has the honour of reprinting, courtesy of the Global Drug Policy Observatory of Swansea University, Great Britain (originally published as GDPO Working

Paper n.5, September 2018). Her report argues that state ‘fragility’ and corruption metrics are inadequate and require an increase in transparency and new metrics to address entrenched élite corruption and organized crime in the case-study of Honduras. The author stresses that especially donor countries must reconcile the political cost of promoting impunity and political protection of corrupt régimes against their own foreign policy agendas. Honduras, since its 2009 *coup d’État*, has received millions of dollars in aid from the U.S.A., while the new Honduran government has enacted fresh policies to promote economic and security reforms. However, Honduran political élites have increased their criminal activities, socio-political control of the country and re-militarization of state institutions, as well as government-sponsored political violence against civil society and political opponents. Deeply embedded criminal-élite interests and insensitive assistance by the United States and international donors contributed to Honduras’ continuing rejection of security and justice reforms, despite the Mission Against Corruption and Impunity in Honduras (MACCIH). The Organization for Economic Cooperation & Development’s (OECD) States of Fragility Framework address issues of state instability, but the author advocates its inclusion of a multi-dimensional élite power fragility indicator as a principle component measurement to incorporate the OECD violence lens, corruption and élite capture across all five fragility dimensions, as well as provide some insight into criminal-legal élite networks within donor countries, highlighting the complexity of transnational élite corruption across borders.

This issue’s Book Review (p.123-137) provides for the first time a forum for intellectual debate and counter-points replies between Chair and Professor Hall Gardner, Ph.D. of the Department of International and Comparative Politics at American University of Paris in France versus Editor and Professor Marco Rimaneli, Ph.D. of Saint Leo University and *Florida Political Chronicle*. This debate over the most controversial contemporary issues highlighted by the Editor’s earlier Book Review on our last issue (vol. 26, n.2, 2018-2019, p. 94-104) follows Dr. Gardner’s compelling new geo-political book, *World War Trump: Risks of America’s New Nationalism* (2018), whose panorama of recent and current international events portrays the rise of anti-Western challenges (from Islamic terrorism to Russia to China and Iran) in multiple regional areas of conflict where local clashes and destabilizing foreign influences undermine the weakening U.S.-led world order in the post-Cold War. This current Book Report follow-up clarifies several areas of intellectual and geo-strategic debate between the author and the editor on: President Trump’s unprecedented divisive policies at home and among U.S. historical allies; U.S. military intervention policies against ISIL and Iran; America’s now open geo-strategic and economic (sanctions and trade-war) rivalry with Russia and China despite allegations of “Russian collusion”; NATO’s “Open Door” on enlargements vs. the risk of a counter-alliance by Russia and China; and the viability of any future political and constitutional reform to unlock the currently frozen U.S. political system as boldly advocated by Dr. Gardner (a 6-years single-Presidential election; replacing the uninominal Electoral College with popular voting; eliminating the Senate through Unicameralism; etc.). Both author and editor share their deep concern over the parallel economico-militarily policies of Russia and China to undermine U.S. and NATO international security interests vs. the rapid erosion since 2011 of *Pax Americana* as a calming global political influence and network for “free-trade” economic growth. Most troubling remains the widening domestic-driven fragmentation of U.S. global leadership, due to the political fracture between Democrats and Republicans in the current tumultuous Trump Presidency, whose neo-Isolationist tendencies threaten both the U.S. traditional policy bedrocks of TransAtlantic security (NATO) and U.S.-led trade cooperation (U.S.-European Union, NAFTA, Asia).

Finally, the Back-Cover (p.138) of this *Florida Political Chronicle* issue traditionally highlights the institutional profile of current FPSA University Members and sponsors. As in recent years, the Information & Policy Analysis Center (IPAC) of the University of Central Florida–Orlando led by President Houman Sadri, Ph.D. (also ex-FPSA President in 2012-2013) has generously funded the FPSA Best

Undergraduate Paper Award to a meritorious candidate in 2015, 2017 and 2018. IPAC President Sadri confirmed that IPAC will continue to sponsor future FPSA Best Undergraduate Paper Awards and the FPSA looks forward to continuing this selection process after each Annual FPSA Conference.

Our Mission: since 1989, the *Florida Political Chronicle* is the regional, scholarly journal of the Florida Political Science Association, serving the academic disciplines and professors of Political Science and International Relations in a balanced, apolitical, analytical, intellectual and non-discriminatory way that fully embodies both our regional association's and U.S. Department of Education's requirements for public policy in universities. The *Florida Political Chronicle* is registered on EBSCO and encourages submissions of scholarly academic essays and Book-Reviews from all Political Sciences-related Disciplines: American Government & Politics; Political Theory & Philosophy; Comparative Politics; International Affairs & Security; Diplomatic History; International Political Economy; Public Administration; and International Law & Organizations (submissions requirements on p.6 above). Our FPSA regional scholarly journal supports submissions from both standing and past FPSA members, as well as from domestic and foreign scholars who have either presented their work at any FPSA Annual Conference or support our organization's mission.

Thank you for your enduring trust in the *Florida Political Chronicle*, and best wishes to all for preparing very productive FPSA Annual Conference coming at the University of Tampa on 2 March 2019 (info-sheet at p.8)!

Most sincerely,

Marco Rimanelli, Ph.D.

Editor of *Florida Political Chronicle*, FPSA's regional scholarly journal,
Professor of Politics & International Affairs at Saint Leo University-Florida, U.S.A. &
2013-2014 Fulbright-Schuman Chair at E.U. graduate College of Europe-Bruges, Belgium.

Mexico and Taiwan: the “Two Turn-over” Theory Confirmed

by John J. McTague, Ph.D., Saint Leo University

ABSTRACT: In the year 2000 two long-running one-party semi-dictatorships—Mexico and Taiwan—were voted out of office in democratic elections. In Mexico the Institutional Revolutionary Party (PRI) had ruled since 1929, while in Taiwan the Nationalist Kuomintang (KMT) had been in power since 1949 (after losing its long 1911-1949 political dominance of Mainland China to the rival Communist Party). A gradual process of democratization in the 1990s in both countries paved the way for these stunning results, but the political changes did not stop there. In verification of the late-Samuel Huntington’s “Two Turn-over” theory, each country has seen their old dominant party rebound to take power again—the KMT in 2008 and the PRI in 2012—only to lose it once again in the most recent Presidential elections. This essay compares similarities and differences in the political struggles of Mexico and Taiwan.

At first glance, the countries of Mexico and Taiwan would appear to have very little in common. And the truth is that they do not. But in the years since 2000 each has made world-wide headlines for the same reason—democratic elections in each country resulted in the overthrow of traditional ruling parties that had controlled their political systems for decades. And then these former-ruling parties rebounded roughly a decade later to recapture power, serving as examples of what renowned Political Scientist Samuel Huntington has termed the “Two Turn-over Theory” as test of a valid transition to democracy.¹

This essay is an outgrowth of the book, *Comparative Democratization and Peaceful Change in Single-Party-Dominant Countries*, edited by Professor Marco Rimanelli in 1999 on the impact of perennial single-party-dominant ruling parties in democracies. That book included separate chapters on Mexico and Taiwan, but both countries’ 2000 elections occurred too late to be part of the original book academic discussion. However, since these two historical elections, which resulted in their national opposition parties capturing the Presidency for the first time in either country, events in both have validated the democratization theory expressed in the book.²

One would be hard pressed to make a case for similarity between these two societies. Mexico is large in both area and population (124,000,000), while Taiwan is relatively small in both (23,000,000). They represent totally different civilizations (one Latin American in the Western Hemisphere and the other Chinese in East Asia), with unrelated language groups (Spanish vs. Chinese). And economically, while both are considered newly-industrialized countries, Taiwan has had far more steady and long-lasting success up to this point with a higher GDP per person (\$49,800), longer life-span (80) and high-literacy rate (98%) vs. Mexico’s similar life-span (76 years) and literacy (94%), but abysmal GDP (\$19,500).³

Yet in one key aspect of society these two countries possess strong similarities—politics. Both had their semi-dictatorial political systems completely dominated by a single party until 2000, when historical Presidential elections brought in each country their respective national oppositions to power for the first time. The two semi-authoritarian dominant parties which tasted defeat in 2000 were the

¹ Samuel Huntington, *The Third Wave, Democratization in the Late-Twentieth Century* (Norman: University of Oklahoma Press, 1991), p. 266-268.

² Marco Rimanelli, ed., *Comparative Democratization and Peaceful Change in Single-Party Dominant Countries* (New York: St. Martin’s Press, 1999).

³ Central Intelligence Agency, *World Factbook 2018* (Washington, D.C., C.I.A., 2018).

Nationalist Kuomintang (KMT) in Taiwan and the Institutional Revolutionary Party (PRI) in Mexico. The PRI had ruled uninterruptedly since 1929 and the KMT since 1949 in Taiwan (where it holed-up after losing its long control since 1911 of Mainland China to the Chinese Communist party after three civil wars), thus making them two of the longest-reigning parties of the Twentieth Century, along with the Communist parties of the Soviet Union, China and North Korea. But then these two parties, rather than wilting under the new democratic system, proved they could compete by recapturing the Presidency, the KMT in 2008 and PRI in 2012. Now with recent renewed overwhelming defeats (Taiwan in 2016 and Mexico in 2018), their political viability is threatened once again.

The PRI emerged from the Mexican Revolution (1910-1940), one of the seminal events of Latin American history. After an initial decade of civil war (which also forced a brief military intervention by the United States in 1916 to stop Pancho Villa's bloody incursions across the border), the successful Mexican Revolutionaries, remained violently split, ending in assassinations of many key leaders—Venustiano Carranza, Emiliano Zapata, Pancho Villa and Alvaro Obrégon. Once the latter was murdered, retiring President Plutarco Calles attempted to unify all factions by creating the PRI as an all-encompassing political party in 1929. The new party included workers, peasants, intellectuals and the military, all those who supported the goals of the Revolution, among which were social change and national pride.

The PRI was enormously popular early-on, reaching its apex during the Presidency of Lázaro Cárdenas (1934-1940). Lacking anything more than token opposition, it assumed total control of the Presidency, Congress and all State Governors of the Mexican Federation. After World War II (1939-45), the party lost its revolutionary zeal, and corruption along with self-preservation became its most dominant characteristics. The PRI maintained almost complete control of the media, both print and electronic, and worked hand-in-glove with Mexican business tycoons, trading support of their national monopolies in return for major political contributions. Although the PRI remained without doubts the most popular party until the late-1980s, it regularly resorted to vote-buying and intimidation to pad its electoral margins.⁴

From its birth in 1929 until 1988, the PRI easily fulfilled the four criteria for a single-party dominance: number of seats and votes won; controlling bargaining position; long continuous period of rule (over a decade); and control of key government offices. During that almost 60-years period, the party won every Presidential election, maintained a majority in both houses of Congress and controlled all state governorships. No coalitions were ever necessary, as the PRI ruled alone and held all major government offices. During that time, every PRI Presidential candidate won at least 70% of the vote, usually more. Opposition did exist, but it was always weak, divided and hopelessly outnumbered.⁵

In Taiwan, the situation was similar. The KMT had been founded in Mainland China shortly after the 1911 Revolution by its legendary leader Dr. Sun Yat-sen. Under his successor Chiang Kai-shek, it was the official governing party of China from 1928 to 1949, although it never came close to establishing effective real control nation-wide. The Communists dominated sections of the north, various warlords ruled their own little fiefdoms and during the Second Sino-Japanese War of 1937-1945, Japan conquered the entire industrial coastal regions, including the key cities of Beijing (Peking), Shanghai, Nanjing (Nanking) and Guangzhou (Canton), until Tokyo's ultimate defeat by the Allies in World War II (1939-45).

Then in 1949 Chiang's pro-Western nationalist government was routed by pro-Soviet Mao Zedong's Communists, forcing him to flee with a million followers to the Island of Taiwan, up to then an underdeveloped province, which had been ruled by Japan from 1895 to 1945. Chiang considered this retreat just temporary and established martial law (which lasted until 1987), due to the wartime

⁴ Thomas Skidmore, Peter Smith & James Green, *Modern Latin America*, 8th ed. (Oxford: Oxford University Press, 2014), p.60-70; Michael Meyer, William Sherman & Susan Deeds, *The Course of Mexican History* (Oxford: Oxford University Press, 1999), p.467-639.

⁵ Waltraud Q. Morales & Corinne B. Young, "Mexico: Revolution in the Revolution?", p. 291-294 in Marco Rimanelli, ed., *Comparative Democratization and Peaceful Change in Single-Party Dominant Countries* (New York: St. Martin's Press, 1999).

situation. As a result, all parties except the KMT were outlawed and an authoritarian one-party monopoly was set firmly in place. Chiang, who was no less a dictator than Mao, ruled with an iron hand until his death (1975), and then passed the reins of power to his own son, Chiang Ching-kuo (1975-88). Thus, the national political situation remained largely unchanged until the late-1980s, just as in Mexico.⁶

The KMT from 1949 to 1987 went even further than the PRI in fulfilling the conditions of national political dominance: with no other parties permitted, it dominated in every way and could easily be classified as a dictatorship. But in both countries things finally began to change by the late-1980s with their respective national transitions to democracy.

That decade was a disastrous one for Mexico economically. In the 1970s, the dramatic rise in oil prices had led the government to go on a spending spree due to its huge oil reserves, but the collapse of those prices in the 1980s drove the country into huge debt, requiring an international bailout (Baker Plan). Per capita income fell drastically and poverty became a more serious problem, this in a country that was already very poor. Discontent manifested itself in growing support for the National Action Party (PAN), a pro-business, conservative party based in the north, but the PRI continued to win all elections, resorting even more to fraud to ensure the results.

In 1988, Cuahtemoc Cardenas, son of the legendary President and a former-PRI state Governor, quit the party over its failure to reform and announced his intention to run for the highest office. His campaign electrified the country, but on election night the computers in voting headquarters mysteriously went down and it was days before the results were announced. Thereafter, PRI candidate Carlos Salinas was declared the winner with 50.4% of the vote, while Cardenas was given 31% and the PAN's Manuel Clothier 17%. Although this was the lowest percentage ever recorded for a PRI Presidential candidate, it was widely believed at the time that the results were fraudulent and that Cardenas had actually won. Salinas took office, but could not ignore the rising national demands for greater democracy.⁷

In Taiwan, President Chiang Ching-kuo held fast to power from 1975 to 1988, but waited until he was near-death to finally start dismantling his father's dictatorship. The two key issues were democratization and Taiwanization: although Mainlanders who had fled China in 1949 comprised only 14% of the island's population, they totally dominated its politics via the Nationalist KMT, while native Taiwanese (84%) were almost totally shut-out. In 1984, Chiang named Taiwanese native Lee Teng-hui as his Vice-President and heir, despite resentment on the part of the old guard of the Nationalist party. And he steadily promoted other Taiwanese to high positions, both in the government and the KMT.⁸ In 1987, just a year before he died, Chiang took the key steps of abolishing martial law and legalizing other political parties. He did so due to a combination of international and domestic pressures, plus the realization on his part that his father had lost China partly due to his failure to open the country to democracy. The son's death in 1988 allowed Lee Teng-hui to finally become the first native Taiwanese President.⁹

In both countries, these events of the late-1980s opened the door to further democratization. In Mexico, Salinas made some effort to accept political pluralism, at least at the state level. For several years the PAN had been gaining strength in the northern Mexican states, but up to 1988 had never managed to win any governorship, resulting in allegations of continuing fraud at the ballot box. But during Salinas' "*sexenio*" (1988-94) they won three, ending the PRI's 60-years undefeated hold to power.

Therefore, the year 1994 held great promise for the opposition but in the end it did not provide the breakthrough many expected. The PRI was thrown on the defensive by the Zapatista rebellion in

⁶ John F. Cooper, *Taiwan: Nation-State or Province*, 3rd ed. (Boulder, CO: Westview Pres, 1999); Keith Maguire, *The Rise of Modern Taiwan* (London: Ashgate Press, 1998).

⁷ M. Delal Baer, "Mexico's Coming Backlash" in *Foreign Affairs*, v. 78, n. 4 (July-August 1999): p. 90-104.

⁸ Keith Maguire, *The Rise of Modern Taiwan* (London: Ashgate Press, 1998), p. 84-103; Hung-mao Tien & Yun-han Chu, "Building Democracy in Taiwan" in David Shambaugh, ed., *Contemporary Taiwan* (Oxford: Clarendon Press, 1998), p. 97-126.

⁹ *Ibid.*

Chiapas and the collapse of the Peso currency, both of which occurred in January. The situation then got worse for them a few months later when their Presidential candidate, Donaldo Colosio (a moderate reformer), was assassinated, most likely under orders of the party's old guard (the "dinosaurs"). But the PRI managed to recover by choosing a solid if unspectacular replacement, Ernesto Zedillo, and were fortunate that Cardenas, competing again at the head of his new Party of the Democratic Revolution (PRD), ran a very uninspiring campaign. Meanwhile, the Mexican economy, aided by another U.S. bailout, gradually began to recover. On election day, Zedillo won in what was generally regarded as a clean election with 50.2%, while the opposition vote, as in 1988, was split: the PAN's candidate Diego Fernandez finished second with 27%, while Cardenas was a disappointing third at 17%. The PRI retained a firm hold on both houses of Congress.¹⁰

As President, Zedillo made democratization one of his top priorities, despite opposition from the party's "dinosaurs". In 1996 he established an independent election commission, separate from the PRI apparatus, in an effort to reduce electoral fraud. The first test of its effectiveness came a year later, in mid-term congressional elections. That year also introduced the first popular election of the mayor of Mexico City, a leftist stronghold. If the PRI had won those races, serious doubt would have been cast on Zedillo's reforms, but instead a major step toward democracy took place. In the lower house of Congress, the Chamber of Deputies (500 seats), the PRI lost its majority for the first time, dropping to 239 seats (from 300 in 1994), while the PRD won 125 and the PAN 121. Although these two parties are ideologically quite different—the PRD to the left of PRI and the PAN to the right—they did cooperate well enough to select a Speaker from the PRD, the first time that office had not been held by the PRI.

And in the Mexico City race, Cardenas made a comeback by winning a solid victory, trouncing PRI's candidate (his leftist views were always more popular in the capital megalopolis than in the nation at-large). The mayoralty was now regarded as the second most powerful elected office in the land, positioning him for yet another run at the Presidency. Mexico's political system had been opened-up as never before, setting the stage for the 2000 Presidential race.¹¹

Similarly, Taiwan's democratization increased in the 1990s, as did its Taiwanization process. President Lee, like his Mexican counterpart Zedillo, was committed to opening-up the system, despite opposition from his party's old guard. By this time Taiwan, one of East Asia's newly-industrialized "Four Tigers", had become increasingly prosperous, well-educated, urbanized and sophisticated, so that its history as a one-party state had become an anachronism. The President took a variety of steps: in 1991 he ended the fiction that Taiwan's National Assembly represented all China, retiring the Mainlanders who had served since 1949; then following year, the first competitive legislative elections were held. The KMT was challenged by the Democratic Progressive Party (DPP), which advocated independence, rather than the reunification promoted by the ruling KMT party. In such a reasonably free campaign the KMT won a decisive victory.

Then in 1994 a key breakthrough took place in Taiwan. In that year popular elections were held for the first time for the mayoralties of Taipei and Kaohsiung, the two largest cities, and the governorship of Taiwan Province, which covered the rest of the island. The DPP won its first major victory when its candidate Chen Shui-bian won in Taipei, the capital, symbolizing a win similar to that of Cardenas in Mexico City. But the KMT held Kaohsiung and Taiwan Province, where James Soong (a Mainlander) won in a landslide. He and Chen would later be the two key figures in the 2000 Presidential race.¹²

¹⁰ Waltraud Q. Morales & Corinne B. Young, "Mexico: Revolution in the Revolution?", p. 291-294 in Marco Rimanelli, ed., *Comparative Democratization and Peaceful Change in Single-Party Dominant Countries* (New York: St. Martin's Press, 1999); Denise Dresser, "Mexico after the July 6 Election: Neither Heaven nor Hell" in *Current History* (February 1998): p. 55-60.

¹¹ Ibid.

¹² James A. Robinson, "Local and Provincial Elections in Taiwan: Appraising Steps in Democratization", p. 363-378 in Marco Rimanelli, ed., *Comparative Democratization and Peaceful Change in Single-Party Dominant Countries* (New York: St. Martin's Press, 1999).

In the meantime, President Lee, who had been chosen for a six-years term by the legislature in 1990, amended the constitution to set up a direct popular vote for President in 1996. This was the first time in China's long history that its leader would be chosen democratically and Lee decided to run for reelection. His popularity as the first native Taiwanese ruler, plus the island's growing prosperity and fear of Mainland China (People's Republic of China) hostile reaction to any hints of independence (the PRC had fired missiles into the Taiwan Strait when Lee visited his *alma mater* Cornell University in the U.S.A.), gave him an overwhelming triumph in a four-man race (54% to 21% over his nearest competitor). The electoral campaign was again praised as free and fair.¹³

Thus, an evolutionary process of democratization had been taking place in the 1990s in both countries, with the rise of credible opposition parties, reasonably free elections, and increased fairness in media coverage. In both Mexico and Taiwan, the ruling parties were vulnerable due to their lengthy periods in power, the massive corruption that had ensued, and the public's desire for change. However, the KMT had an advantage in that it could boast of having turned the island from a backwater into a prosperous state during its 50-years stewardship, something which the PRI could not claim. In fact, real wages had declined in Mexico since the 1980s and the gap between rich and poor had steadily grown worse during that time. This put the KMT in a stronger position than PRI to hold onto power in the national election of 2000. But both ended-up falling from power in somewhat similar circumstances.¹⁴

In Taiwan the KMT, having recaptured Taipei and retained a majority in the legislature in the 1998 elections, seemingly held a strong political position, especially since the economy had not suffered the 1998 "Asian Contagion" that undermined financially South Korea, Thailand, Indonesia and Japan, to then spread also to Russia, Mexico, Brazil and Argentina. But President Lee, opting not to run again at age 79, insisted that his Vice-President Lien Chan be nominated instead, by-passing the nationally more popular James Soong. The latter had had a falling-out with the President when the Taiwan governorship, which he had won handily in 1994, was made a non-elective post. After being passed over in favor of Lien, Soong announced that he would run as an Independent candidate, and the KMT retorted by expelling him. But his national popularity brought him so much support also from traditional KMT rank-and-file, that the electoral results split the party vote.

Meanwhile, the DPP nominated Chen Shui-ban, who despite his defeat in Taipei two years earlier was still the party's most popular leader. Realizing that the DPP's stance on national independence frightened many voters, he promised no official move in that direction if elected, minimizing the differences between himself and the other two candidates. Both he and Soong attacked KMT corruption ("black gold"), which was widely acknowledged to be massive, but these slogans sounded quite hypocritical coming from Soong, who had been a KMT party leader less than a year before. All polls predicted a very close race and they were correct. With no provision for a run-off, a plurality was sufficient and Chen squeaked in with 39% of the vote to claim victory, while Soong was a close second at 37% and Lien Chan a distant third with 23%. This was a humiliation for the KMT and many in the party blamed Lee Teng-hui for insisting on the lackluster Lien. In fact, an angry mob trapped the President in the KMT headquarters for hours after the election and forced him to announce his immediate resignation as party leader. Their anger may have been justified, for many observers, including Taiwan's unofficial ambassador to the U.S. at the time, felt that had Soong been the KMT nominee, he would have easily defeated Chen Shui-bian in a two-man race.¹⁵

¹³ Hung-mao Tien & Yun-han Chu, "Building Democracy in Taiwan" in David Shambaugh, ed., *Contemporary Taiwan* (Oxford: Clarendon Press, 1998), p. 97-126.

¹⁴ *Economist* (13-19 November 1999): p. 35-36.

¹⁵ *New York Times* (18 March 2000): p. A4; *New York Times* (19 March 2000): p. A1; *New York Times* (20 March 2000): p.A1; *New York Times* (21 March 2000): p.A8; *Economist* (12-18 February 2000): p.38; *Economist* (26 February-3 March 2000): p.49;

Mexico's 2000 Presidential race showed a number of similarities with Taiwan. Following the 1997 electoral campaign, there was great anticipation on the part of the opposition. But unlike in Taiwan, it was the challengers who were split, not the ruling PRI party. After his win in the capital, Cardenas was eager to make a third run at the Presidency with the PRD, while the PAN had nominated former Coca-Cola executive and state Governor Vicente Fox as its leader. While both parties agreed that the opposition stood a better chance of winning with a single candidate, neither Fox (who had better poll ratings) nor Cardenas would step aside. As in Taiwan, there is no provision for a run-off, so the prospect loomed of PRI losing its majority but still winning a plurality over a divided opposition.

Another difference was the fact that the ruling PRI party entered the campaign reasonably united. Zedillo had abolished the practice of the exiting President handpicking his successor, setting-up instead a national party primary in its place. Held in November 1999, it was won by Cabinet Minister Francisco Labastida, who immediately became the favorite to continue the PRI's decades of dominance.

But during the seven-months electoral campaign, momentum slowly shifted. Fox, easily the most charismatic of the three, won all television debates with his straight talk and humor. He took far less conservative positions on issues than his party typically did and spoke out frequently on the needs of the poor. Instead, Cardenas came across badly in the debates and never seriously threatened to win. Labastida was saddled with his party's long record of corruption and economic mismanagement. The major questions as the 2 July 2000 elections loomed were: would enough voters be willing to take a chance on a new party in power, or would the PRI try again like in the past to steal the elections, even with all the democratic safeguards that had been installed. Most polls showed Labastida winning narrowly, but still within the margin of error, while Fox insisted that he would not accept a defeat by less than 10% (to account for fraud).

The results stunned almost all Mexicans: Fox won decisively with 43% of the votes with a comfortable margin over Labastida's 36%, while Cardenas lagged far behind at 17%. The PRI had lost the Presidency for the first time in its 71-years history. Moreover, the PAN won 224 seats in the Chamber of Deputies, edging out the PRI (209) for another first. While not a majority (the PRD had 67 seats), the PAN was now clearly the leading power at the national level, although the PRI still controlled most states' governorships. As in Taiwan, the man who opened up the system to democracy—Ernesto Zedillo—was then widely blamed within his party for its defeat. But despite the short-term finger-pointing, both Lee and Zedillo are likely to go down in their respective nations' history books as heroes for finally bringing democratic political pluralism to semi-dictatorial systems.¹⁶

Had Taiwan and Mexico made a successful transition to democracy? Many of the signs were promising but in 2000 it was too early to make a judgment. As noted earlier, the late Samuel Huntington had devised a "Two Turn-over Theory", in which not only is the long-time ruling party defeated, but also the party that replaces it. And by the summer of 2012, both countries had passed that test. In 2008, after suffering a second defeat in the 2004 election, the KMT recaptured the Presidency, and in 2012, after a humiliating defeat in 2006, also the PRI regained Mexico's Presidential Palace.¹⁷

Economist (11-17 March 2000): p. 45; *Economist* (25-31 March 2000): p. 23; Shelley Rigger, "Taiwan's Turn-around" in *Current History* (September 2000): p. 280-284.

¹⁶ *New York Times* (1 July 2000): p. A1; *New York Times* (2 July 2000): p. A1; *New York Times* (3 July 2000): p. A1; *New York Times* (4 July 2000): p.A1; *New York Times* (5 July 2000): p.A1; *Economist* (13-19 November 1999): p. 35; *Economist* (19-25 November 2000): p. 39; *Economist* (11-17 March 2000): p. 44; *Economist* (29 April-5 May 2000): p. 34; *Economist* (27 May-2 June 2000): p. 40; *Economist* (24-30 June 2000): p. 25; *Economist* (8-14 July 2000): p. 31; *Latin American Weekly Report* (27 June 2000): p. 290; *Latin American Weekly Report* (4 July 2000): p. 301; *Latin American Weekly Report* (11 July 2000): p. 314; *Latin American Weekly Report* (18 July 2000): p. 326; Lucy Conger, "Mexico's Long March to Democracy" in *Current History* (February 2000): p.58-64.

¹⁷ *Economist* (4 August 2001): p.38; *Economist* (8-14 December 2001): p.41; *St. Petersburg Times* (2 December 2001): p.18A.

Let us now examine how these events transpired. After their defeats in 2000, many analysts questioned whether the KMT and PRI would be able to survive in the new competitive political climate. Neither had tasted failure in decades, the PRI in 71 years and the KMT since 1949. Both had relied heavily on corruption and bribery, which antagonized voters and would be more difficult to rely on now that they were out of power. But both managed to rebound, first by focusing on legislative and local elections, and second, by developing a younger generation of leaders not tainted by the sins of the past.

In Taiwan, despite the embarrassment of having their candidate—Lien Chan—finish third in the Presidential race, the KMT stayed competitive in the 2001 legislative elections. Although they lost their majority for the first time and dropped 46 seats, most of those (29 seats) went to Soong's new party, People First, which was now allied with them in the Pan-Blue Alliance. The DPP did finish first with 87 seats but their Pan-Green Alliance was outnumbered 115-to-100.¹⁸

Therefore, the KMT was optimistic about the 2004 Presidential race, since Lien and Soong had agreed to run on the same ticket rather than competing as they had done in 2000. They had combined to win 60% of the vote that year, so it was assumed that if they could hold most of those voters they would coast to victory against Chen, who was running for reelection having to defend a sluggish economy. But despite Soong's greater popularity, he was placed second on the ticket as Vice-President, which may have been a major blunder. The DPP ran a clever campaign, staging a hands-across-Taiwan rally on February 28, the anniversary of a KMT massacre on the island, and several referenda hinting at independence. The day before the election, there was an assassination attempt on Chen, who was slightly wounded, which likely gained him sympathy votes. Thus, he won by a razor-thin margin—50.1% to 49.9%.¹⁹

Later that same year, in legislative elections, the KMT picked up 11 seats, mostly at the expense of People First, but still lagged behind the DPP 89-to-79. Yet the Pan-Blue Alliance retained its majority (114-101), meaning that Chen would have an opposition-dominated legislature for his entire two terms. And the KMT, despite its defeats, was still competitive and a viable opposition.²⁰

In Mexico instead, the PRI maintained control of the largest number of state governorships and made a strong comeback in the 2003 mid-term Congressional elections. New President Fox' victory had created high expectations, but he proved to be an inept politician unable to get his proposals through Congress (where admittedly he lacked a political majority). That hurt PAN's poll numbers and they lost their plurality in 2003 to PRI, which won 249 seats. This result seemed to bode well for the party in 2006, but instead that year proved to be their *nadir*.²¹

With Fox ineligible for reelection due to term-limits, the PAN nominated as successor Felipe Calderón, one of his Cabinet members and son of a prominent party founder. The PRI primaries resulted in the nomination of a "dinosaur" candidate, former-Governor Roberto Madrazo. But the early favorite in the polls was the PRD Mayor of Mexico City, Andres Lopez Obrador (nicknamed "AMLO"), a fiery speaker and champion of the poor. However, he was seen as too much of a polarizing figure and Calderón gradually crept-up on him in polling, with Madrazo lagging far behind. Although "AMLO" led in every pre-election poll, on election night Calderón was declared the winner by less than 1% of the vote. AMLO refused to concede and a recount was held, but it took two months for the Federal Election Tribunal to reconfirm Calderón's victory by a razor-thin 0.58%. Madrazo was a poor third with just 22%, and the PRI was also crushed in the Congressional races, winning just 112 seats (a loss of 137) finishing again third behind the PAN and PRD.²²

¹⁸ Michael Farley, "Taiwan's Politics Gets Interesting Again" in *Current History* (September 2007): p. 275-280.

¹⁹ *Ibid.*

²⁰ *Economist* (1-7 July 2006): p. 21-23.

²¹ *Economist* (8-14 July 2006): p. 31-32; *Economist* (22-28 July 2006): p. 39.

²² Andrew Selee, "Back from the Brink in Mexico" in *Current History* (February 2008): p. 65-67; *Economist* (9-15 September 2006): p. 38-39; *Economist* (9-15 December 2006): p. 43.

This was easily the lowest point for the PRI, but now the other two parties unexpectedly came to its aid. “AMLO” still refused to concede even after the Tribunal’s verdict, and he even held a massive protest rally in the historical Zocalo city center to disrupt Calderón’s inauguration, five months after the election. These actions cost him much credibility with the public, which came back to haunt him six years later. Meanwhile, once in office, Calderón made as top priority a national “war” against drug lords, which resulted in the worst violence Mexico had seen since the 1920s with tens of thousands of dead and seriously hurting his popularity. With both other parties discredited, the PRI soon rebounded in the 2009 Midterm elections to win 241 seats, doubling their total and once again reemerged as the largest party in Congress. Like the KMT in Taiwan, the PRI was still viable and in position to regain power in Mexico.²³

In Taiwan, 2008 was the year the KMT returned to power, and as in Mexico, this political revival was fueled by dissatisfaction with their opponents. During Chen Shui-bian’s second term the DPP self-destructed with a series of blunders that wiped-out its national popularity. Both he and his wife were accused of corruption, and she was eventually put on trial, while he was spared a court appearance only by his Presidential immunity. Moreover, his strong anti-China stance had caused serious push-back from the Mainland, which threatened to endanger bilateral trade with one of Taiwan’s major economic partners. This issue had already caused a slow-down in growth and China openly made it known that they would respond more favorably, both diplomatically and economically, to a future KMT government. Thus, the KMT entered 2008 in a very favorable situation and was able to take advantage.²⁴

The first pay-off came in the January 2008 legislative elections. In a newly reorganized Yuan, with the number of seats reduced by half, the KMT and its Pan-Blue allies won 85 out 113 seats, for a majority of more than three-to-one, a crushing victory. This set the stage for presidential elections which came two months later. After losing two straight contests with the uncharismatic Lien Chan, the KMT now had a far more attractive candidate, Ma Ying-jeou, who had followed Chen Shui-bian as Mayor of Taipei and was both photogenic and articulate. Ma openly favored stronger relations with the Mainland (he had been born in Hong-Kong) and was popular in both Beijing and Washington (he had earned a Ph.D. from Harvard and spoke excellent English). The DPP nominated party veteran Frank Hsieh, who despite being a strong campaigner, had his party’s poor record to defend. Hsieh made some headway when protests broke-out in Tibet shortly before election day, and he warned voters of the dangers of close ties to the Mainland. But by that time Ma had built-up such a huge lead that on election day he won in a landslide 58%-to-42%, completing the KMT’s return to power with control of both the Presidency and legislature.²⁵

In Mexico, because Presidential terms are fixed at only six years, PRI’s return to power after two defeats was delayed until 2012, four years later than the KMT’s. Trends that had aided PRI’s 2009 legislative victory continued to be helpful three years later. President Calderón’s ill-fated war on drug lords continued unabated, as did his opponents efforts to fight back with whatever means necessary, resulting in horrific images of executions and a body count that exceeded 60,000 by 2012. Mexicans’ sense of security was seriously weakened, as was their confidence in the President. This created a difficult situation for PAN’s candidate, Josephina Vasquez Mota, the first major party female candidate and a Minister in Calderón’s government. The PRD once again nominated “AMLO”, who despite his ineffective political protests in 2006, still remained popular with the lower classes.²⁶

²³ *Economist* (23-29 September 2006): p. 48; *Economist* (9-15 December 2006): p. 47-48.

²⁴ “Taiwan’s 2008 Presidential Election”, *CRS Report to Congress* (2 April 2008), see: FAS.OR G/SGP/CRS/ROW/RS22853; Brookings, “Implications of the 2008 Taiwan Presidential Election for Cross-Strait Relations” (Washington, D.C.: Brookings, May 2008), see: www.brookings.edu/research.

²⁵ “Taiwan Elections 2008: Ma Ying-jeou’s Victory and the KMT’s Return to Power” in *China Perspectives* (2008), see: www.china-perspectives.org; *New York Times* (12 January 2000): p.A1; *New York Times* (1 January 2000): p. A4; *New York Times* (21 March 2000): p. A1; *New York Times* (23 March 2000): p. A3.

²⁶ “Mexico’s 2012 Elections”, *CRS Report for Congress* (4 September 2012), see: FAS.ORG/SGP/CRS/ROW/R42548; Pamela Starr, “Mexico’s Big Inherited Challenges” in *Current History* (February 2012): p. 43-49; Pamela Starr, “Mexico’s Problematic

The PRI, like the KMT, needed a fresh face who represented a break with the past, so they turned to the Governor of Mexico State, Enrique Peña Nieto, a youthful, telegenic politician, married to a *telenovela* star. He quickly gained a large lead in the polls, despite the stunned realization by many Mexicans that PRI could return to power so soon. But the PAN seemed discredited and Vasquez Mota never posed a serious threat to finish first. And “AMLO” had a solid base of support with the poor but struggled to convince other Mexicans that he was Presidential material. The final polls had Peña Nieto winning by over 10%, and while he failed to top the 40% mark his supporters had hoped for, he won comfortably with 38%. “AMLO” did better than expected with 31% (only four points worse than 2006) and Vasquez Mota came in third with 25%. PRI did lose some seats in Congress, down to 212 from 241, but still had a plurality, while the PRD moved into second place.²⁷

What conclusions can be drawn from these events? Following Huntington’s “Two Turn-over Theory”, both Taiwan and Mexico appear to be solidly democratic at this point. We should note that most scholars view democracy as more than just free elections. In general other factors include: a lively civil society, the rule of law and an independent media, along with an independent legislature and judiciary. These factors gradually evolved in both countries since the late-1980s, although Mexico’s media was still dominated by a couple of telecommunications giants, which generally supported the PRI. Yet that did not prevent the PAN from winning two Presidential elections, demonstrating that the other factors were strong there.²⁸

In both countries, single-party dominance began to show cracks in the late-1980s and 1990s, with the final break-through taking place in the 2000 Presidential Elections. The opposition was able to hold on to the Presidency in a second election in both cases, but both the KMT and PRI maintained strong positions in the legislature and at the state- (Mexico) and local-levels (Taiwan). Neither the DPP nor the PAN were able to exert total power because they did not control the legislatures during their respective Presidencies. And finally, after eight years in Taiwan and 12 in Mexico, voters became so disillusioned with their respective new ruling parties that they were willing to give the old ex-dictatorial parties a chance to prove that they had democratically reformed by voting them back into power.

In Mexico, Peña Nieto got off to a good start, getting both the PAN and the PRD to support his reforms on energy (breaking up the Pemex monopoly) and education (curbing the power of the teachers’ union) in Congress. But in September 2014 the disappearance (and by now certain death) of 43 students in the State of Guerrero with little response from the Federal government, plus a financial scandal involving the President’s wife, led to mass protests in the capital and complaints that beneath the slick veneer, the same old PRI “dinosaur” mentality prevailed. With Peña Nieto’s approval ratings falling to the worst level of any Mexican President in decades, Mid-term elections in June 2015 were expected to carry major losses for the PRI.²⁹

But surprisingly, this did not prove to be the case. Despite polls showing serious voter disillusionment with all political parties, turn-out was a solid 47%, higher than in the previous Mid-term elections (2003 and 2009).

Reforms” in *Current History* (February 2014): p. 51-56; “Profiles of Mexico’s Presidential Candidates” in *New York Times* (29 June 2012), see: www.nytimes.com; *Economist* (2-8 June 2012): p. 46-47; *Economist* (23-29 June 2012): p. 39-41; *Economist* (7-13 June 2012): p. 36-37; Hector Aguilar & Jorge Castañeda, “Mexico’s Age of Agreement” in *Foreign Affairs*, v.91, n.6 (November-December 2012): p. 23-30.

²⁷ Takashi Inoguchi, Edward Newman & John Keane, eds., *The Changing Nature of Democracy* (New York: U.N. University Press, 1998); Yun-han Chu & Larry Diamond, “Taiwan’s 1998 Elections” in *Asian Survey*, v. XXXIX, n. 5 (1998): p. 809.

²⁸ *Economist* (21-27 November 2012): p. 43-44; *Economist* (22-28 November 2014): p. 37; *New York Times* (30 November 2000): p. A8.

²⁹ Shannon O’Neil, “Mexico Makes It” in *Foreign Affairs*, v. 92, n. 2 (March-April 2013): p. 52-63; *Economist* (5-11 July 2014): p.29-30; *Economist* (18-24 October 2014): p. 37-38; *Economist* (15-21 November 2014): p. 38; *Economist* (6-12 December 2014): p. 39-40; *New York Times* (7 January 2015): p. A9; Wikipedia, “Mexican Legislative Election 2015” in *Wikipedia* (17 August 2015); *Wall Street Journal* (9 June 2015): p. A14; *New York Times* (9 June 2015): p. A8.

And the other two major parties were in disarray. The PRD had split with the defection of “AMLO”, who felt the party had compromised too much with Peña Nieto, and who also wanted to run for President again in 2018. He formed a new party Morena, which won a respectable 8.5% of the vote, most of which came from ex-PRD voters. That party lost almost 8% of its support from 2012, falling to 11%. And the PAN, which many pundits expected to make the biggest improvement, also suffered from infighting and only managed 21%, a five-points decline from 2012. Consequently the PRI, despite widespread dissatisfaction with its leader, comfortably led the field with 29%, a mere 3% slide. Together with their allies the PVEM and the Alliance Party, they took 260 of the 500 seats.³⁰

But several trends were now ominous. The three major parties combined to win barely over 60% of the vote, a decline of roughly 15% from the previous two elections. The other 40% went to smaller parties or null votes, indicating strong negative attitudes toward the big three. And for the first time, an independent candidate was elected governor of the State of Nuevo León (with capital Montérey) by defeating both PRI and PAN candidates.³¹ Thus, one analyst declared that: “this election is hardly a repudiation of Peña Nieto’s government, but it’s certainly not a ringing endorsement either.”³²

But if the PRI dodged a bullet in the Mid-term elections, they were not so lucky the following year, when Governors’ races were held in 12 Mexican States. In the intervening year (June-to-June) drug-gang violence had gotten worse, while news stories of PRI corruption had become more frequent. As a result, Mexican voters did what they had failed to do the previous year—punish the PRI.

Of the 12 Governors’ races up for grabs, the PRI had held nine, but they only managed to hold on to five of those. The PAN, which had performed so poorly in 2012 and 2015, rebounded by capturing seven States, their best performance ever, including the States of Vera Cruz, Tamaulipas and Quintana Roo, which the PRI had historically dominated since the 1930s. While these 12 States (out of 32 in the Mexican Federation) represent only about one-third of Mexico’s total population, the vote was widely interpreted as a rejection of the PRI. Peña Nieto’s approval rating was only about 30% and while he could not run for re-election, his popularity (or lack thereof) was bound to impact the 2018 Presidential race.

Meanwhile, “AMLO”’s new party Morena, while not winning any of the Mexican States, did well in several (e.g., Vera Cruz) and generally out-performed its rival on the left, the PRD, which actually allied with the right-of-center PAN in several States. This put “AMLO” in a strong position for 2018.³³

As Peña Nieto’s unpopularity had hurt the PRI up to that point, Ma’s unfavorability had an even worse effect in Taiwan. His first term was reasonably successful and he was re-elected in 2012 with 52% of the vote compared to the DPP’s Tsai Ing-wen’s 46% (she was the first female candidate for President from either party). But Ma’s second term proved to be disastrous. The economy failed to grow as fast as expected and then in 2014 his attempt to make a trade deal with China prompted massive protests that resulted in a sit-in at the Yuan Parliament (the Sunflower Movement). The unpopularity of his pro-China policy was emphatically demonstrated in local elections in November 2014, when the KMT won only six Mayoralty races, a loss of nine, while the DPP won 13, an increase of seven. The KMT even lost Taipei for only the second time to an Independent candidate.³⁴

This should have been a wake-up call for the party, looking forward to the January 2016 Presidential election, but their strongest candidate, Eric Chu, the party chairman, refused to run (Ma was ineligible due to term-limits). Consequently, in June 2015 the KMT nominated Hung Hsiu-chu, Deputy-Speaker of the Yuan Parliament, a strident supporter of stronger ties with China, which was a very

³⁰ *Wall Street Journal* (9 June 2015): p. A14; *New York Times* (9 June 2015): p. A8.

³¹ Quote from Andrew Selee in *New York Times* (9 June 2015): p. A8.

³² See: Reuters.com/article/US-Mexico-election,6/6/16; theguardian.com/world/2016/jun/06/early,6/6/16; and latimes.com/world/mexico-americas,6/7/16.

³³ *Economist* (22-28 November 2014): p. 37; *New York Times* (30 November 2014): p. A8; *Economist* (11-17 April 2015): p.37.

³⁴ *Economist* (23-29 May 2015): p. 32; *Economist* (20-26 June 2015): p. 39.

unpopular national position. Meanwhile, the DPP chose Tsai Ing-wen once again, despite her 2012 defeat, and James Soong, who had been the spoiler in the KMT's 2000 defeat, announced that he would run with his People's First Party, despite its legislative alliance with the KMT.³⁵

Polls taken in late-Summer and early-Fall 2015 consistently showed Ms. Hung losing by roughly 20% to Ms. Tsai, and even falling to third place behind Mr. Soong in some ratings. As a result, in October the KMT held an emergency meeting and replaced her as their national candidate with Mr. Chu, who was persuaded to change his mind about competing. This move certainly smacked of desperation, as did a subsequent announcement in November 2015 of a meeting between Mr. Ma and Chinese President Xi Jinping, the first such session since the end of the Chinese Civil War in 1949. But despite its historic significance, this meeting was not likely to ease the strong anti-China feeling among the Taiwanese electorate, and Mr. Chu's poll numbers were only marginally better than Ms. Hung's ones. It appeared that the real horse race would be for control of the Yuan Parliament.³⁶

Therefore, the results of the 16 January 2016 vote were half expected and half surprising. As everyone predicted, Tsai Ing-wen won the Presidency in a landslide with 56% to Chu's 31%, with Soong gaining the remaining 13%. She became Taiwan's first female President. The surprise was the convincing victory of the DPP in the Yuan Parliament, where they picked-up 28 seats for a total of 68, a solid majority. The KMT lost 27 seats and fell to 35, making this the first time in the island's history they have not controlled the legislature. As a result, the DPP has full control of the government for the first time. China has already warned once again that any move toward independence would be firmly resisted (a veiled threat of possible military invasion) and Tsai consequently has promised to maintain the *status quo*.³⁷

In Mexico, "AMLO" finally succeeded in 2018, thanks to the general feeling of disgust toward both the PRI and the PAN, resulting in what the Economist newspaper described as a "punishment vote". With Peña Nieto's approval ratings the lowest of any President in decades and PAN having failed to gain support after its 2016 Gubernatorial victories, the man who had already lost twice in Presidential races was now viewed by both rich and poor as the best alternative. Both the PRI (José Antonio Meade) and PAN (Ricardo Anaya) put up lackluster political candidates who could not match the star power of the charismatic "AMLO". With corruption rampant and the murder rate at an all time high (29,000 in 2017), the public was in the mood for drastic change, willing to turn to a man who had previously been considered by most upper- and middle-class Mexicans as a dangerous radical.³⁸

Consequently, election day on 1 July 2018 brought a smashing victory: Lopez Obrador ("AMLO") won a resounding 53% of the vote, the first majority for any candidate since competitive elections began in 2000. His nearest challenger, Anaya, tallied only 22% with the PRI candidate Meade at 16%. Moreover, "AMLO"'s party Morena, formed only four years earlier, won majorities (with two allied parties) in both the Senate (70 out of 128) and Chamber of Deputies (312 out of 500). And they also captured the key Mayor's office in Mexico City, which the PRD had held since free elections started in the 1990s. This election brought Mexico's politics full-cycle in the new democratic era. The Presidency had been won by a

³⁵ Carnegie Endowment for International Peace, "Taiwan's 2016 Presidential Election" (9 September 2015), see: <http://carnegieendowment.org/2015/09/09/taiwan-s-2016-presidential-election/ifilm>; *Economist* (24-30 October 2015): p.38; CNN, "Bad Poll Numbers" (17 October 2015), see: <http://www.cnn.com/2015/10/17/asia/taiwan-kmt-president-candidate-swap/>; *New York Times* (8 November 2015): p. A10; *Economist* (14-20 November 2015): p. 44.

³⁶ CNN.com (16 January 2016); *New York Times* (17 January 2015): p. A5; *New York Times* (18 January 2015): p. A3; *Economist* (9-16 January 2015): p. 31; Stephen Bryen, "Better Defense Cooperation Needed with Taiwan" in Rachel@acdemocracy.ccsend.com.

³⁷ CNN.com (16 January 2016); *New York Times* (17 January 2015): p. A5; *New York Times* (18 January 2015): p. A3; *Economist* (9-16 January 2015): p. 31; Stephen Bryen, "Better Defense Cooperation Needed with Taiwan" in Rachel@acdemocracy.ccsend.com

³⁸ *Economist* (28 May-3 June 2016): p.30-32; *Economist* (23-29 June 2019): p.20-22; *Economist* (7-13 July 2018): p. 24-25; Denise Dresser, "Can Mexico Be Saved?" in *Foreign Affairs*, v.97, n. 5 (2018): p. 157-176.

party of the Right (PAN) in 2000 and 2006, a party of the Center (PRI) in 2012, and now a party of the Left (Morena). But whether the latter can succeed in reducing corruption and violence where the other two failed remains to be seen.³⁹

Yet despite the different circumstances in these two countries, in both cases the commitment to democracy has been reinforced and their respective democratization process confirmed by easily passing Huntington's "Two Turn-over" test for a successful transition to viable democratic systems. On one hand, concerning Taiwan, the *Economist* editorial waxed praises: "The vibrancy of the campaigning; the engagement of young voters; a smooth expected transfer of power; Asia's first female leader not to come from a political dynasty: there is much to celebrate. A dictatorship has budded amazingly into a mature democracy, a country with stable institutions and impressive prosperity, ranking 33rd in the world by income per person, richer than Portugal or Greece."⁴⁰ On the other, Mexico probably would not merit such a glowing analysis, with both chronic drug-gang violence and corruption remaining the key national problems, but has still made the kind of democratization progress few would have predicted just a couple of decades ago.

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³⁹ *Economist* (28 May-3 June 2016): p.30-32; *Economist* (23-29 June 2019): p.20-22; *Economist* (7-13 July 2018): p. 24-25; Denise Dresser, "Can Mexico Be Saved?" in *Foreign Affairs*, v.97, n. 5 (2018): p. 157-176.

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The Antarctic Frontier in International Relations

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ABSTRACT: This essay provides the reader and practitioner key political and International Law information about the continent of Antarctica (South Pole) and the surrounding Southern Ocean, focusing on the interplay between competing Antarctic nations with expired legal sovereignty claims and treaties. Factual evidence and findings are discussed along eight sections on: Antarctic Exploration, Territorial Claims, Regional Agreements, International Law, Unsettled Disputes and Pending Claims, Science and Business, Climate Change and Antarctic role in International Relations. This information serves also as basis for college courses on Antarctic Affairs and continues the author's earlier essay: "The Arctic Frontier in International Relations", published in the *Florida Political Chronicle*, vol.25, n.1 (2016-2017): p.85-107.

Introduction

This essay on Antarctica or South Pole completes the author's earlier research on the global role of the Arctic or North Pole in, "The Arctic Frontier in International Relations" (see: *Florida Political Chronicle*, vol.25, n.1, 2016-2017, p.85-107). Antarctica remains the "Last Continent" to be discovered both physically and in Political Sciences where, "academics have been rather late in discovering Antarctica (Beck, 1986, p.7). "Remarkably, the 2007 Encyclopedia of the Antarctic ... has no section on Antarctic politics or governance" (Brady, 2013, p.3). "Security discourse, a familiar narrative in the context of regions such as the Middle East and Arctic, is much less frequently engaged in with respect to the Antarctic" (Hemmings, Rothwell & Scott, 2012). This essay seeks to partially fill that void in the literature on both Poles. The simplified Map of Antarctica below shows surrounding oceans and regional seas (National Snow & Ice Data Center, 2016b), while a more detailed physical map is on the website *Nations On-line Project* (2016): http://www.nationsonline.org/oneworld/map/antarctica_map.htm



Antarctica is the fifth largest of the world's seven continents, larger than Europe or larger than Australia and New Zealand combined (Antarctic Geological Drilling, 2016). Antarctica is unique: it is the coldest, driest and highest continent on Earth (Howard, 2013, p. 13), as well as the windiest and stormiest (Masson-Delmotte, 2013, p.77). Its average barometric pressure is the lowest on Earth and giant cyclones circle around this Southern Continent (Berkman, 2002, p.48). The record speed for down-slope, *katabatic*, wind across East Antarctica is 327 Km. per hour (Fahrbach, 2013, p.140) and wind speed greater than 160 Km. per hour is common (National Research Council, 2011, p.119). Indeed, winds over 100 Km. per hour can blow for days (Australian Antarctic Division, 2016a), while the combination of strong wind and dry air generate enormous amounts of static electricity (Rubin, 2008, p.305).

Antarctica averages 2,250 m above sea-level (Rubin, 2008, p.92) and is drier in the higher regions. Most precipitation is as snow with average accumulation equivalent to 150 mm. of rain per year. On the coast it is more than 200 mm. per year with the highest, over 2000 mm., next to the Bellingshausen Sea (along the western side of the Antarctic Peninsula). But on the elevated plateau it is less than 50 mm. (Australian Antarctic Division, 2016a). Thus, although the amount of snowfall per year is relatively low, its accumulation over millions of years has resulted in enormous amounts of ice (Antarctic Geologic Drilling, 2016). Antarctica is essentially a desert, but almost all of the continent is covered by ice (Cassano, 2013, p. 135 & 102) and even during the months of Summer, less than 1% of the surface is ice-free. The ice-free area is relatively small, but includes 3,000 square Km. in the three main "Dry Valleys": Victoria, Wright and Taylor (Rubin, 2008, p.288).

During the middle of Winter, Antarctica is extremely cold and totally dark. Temperatures less than -50°C are common (National Research Council, 2011, p. 119). The Antarctic Circle at $66^{\circ}33' \text{ S}$, like the corresponding Arctic Circle at $66^{\circ}33' \text{ N}$, marks the latitude where the Sun remains below the horizon on Mid-Winter's Day and above the horizon on Mid-Summer's Day. But, in Antarctica, months are reversed so June marks the middle of Winter and December marks the middle of Summer (Australian Antarctic Division, 2016d). These seasonal differences are due to the tilt of the Earth's axis. And, since it varies from year to year, the latitude of the Polar Circles is based on an average tilt of 23.5° (using $23^{\circ}67'$ the latitude is $90^{\circ} - 23^{\circ}67' = 66^{\circ}33'$). Although seasons are reversed between Southern and Northern Hemispheres, periods of Winter darkness and Summer lightness increase as one moves closer to either Pole. If not for the tilt, there would be continuous night at both Poles and uniform cycles of day and night elsewhere (Berkman, 2002, p. 8). As it is, both Poles remain dark for almost half of the year and in light for other half (Joyner, 1998, p. 9).

Antarctica has the highest average elevation of any continent, more than 2,000 m., twice as high as the next highest continent Asia (Antarctic Geologic Drilling, 2016). Mountain peaks, known as *nunataks*, protrude through the icecap, especially along the periphery of Antarctica. But, unlike other continents, Antarctica has low seismic activity and few active volcanoes (Storey, 2013, p. 42). Most of the hot spots are in the vicinity of the Antarctic Peninsula, West Antarctica and the Ross Sea. In these regions, there is a high probability of significant eruptions. Mt. Erebus on Ross Island is 3,794 m. high and "one of only a handful of volcanoes in the world with a permanent convecting-lava lake" (Rubin, 2008, p. 298-300).

In the north-west, there are mountains all along the Antarctic Peninsula. The rest of the continent is divided into West and East Antarctica at 0° and 180° of longitude, the prime meridian (or Greenwich Meridian) and the anti-meridian (or International Date Line). West Antarctica is known as Lesser Antarctica, whereas East Antarctica is known as Greater Antarctica since most of the continent is located in the Eastern Hemisphere. The TransAntarctic Mountains, 2900 Km.-long, separate the older part of the continent, East Antarctica, from the newer part, West Antarctica (Rubin, 2008, p. 92 & 302). The highest mountains, the Ellsworth Mountains, are positioned in the opposite direction and located in

West Antarctica along with a number of other small ranges (Storey, 2013, p. 37-38). And the highest peak, Vinson Massif at 4,900 m., is within the Ellsworth Mountains (Rubin, 2008, p. 73).

The Gamburtsev Mountains are in the lowlands of East Antarctica. But they are 600 m. beneath the surface of an ice-sheet that is 4 Km.-thick. The lowest point on the continent is located in the Bentley Subglacial Trench in Marie Byrd Land, but it is buried under the deepest ice-sheet of the continent. And at -2,540 m. below sea-level, it is the lowest elevation on the planet that is not under sea-water (U.S. Central Intelligence Agency, 2016a).

There are also over 300 fresh-water lakes beneath the ice, including Lake Vostok, the largest at 50 Km. wide, 250 Km. long and over 300 m. deep (Storey, 2013, p.38, 40-41). And the icecap above the lake is at least 3.6 Km.-thick (Convey, Brandt & Nicol, 2013, p. 201). Numerous topographic maps of Antarctica produced by the U.S. Geological Survey can be found at the U.S. Antarctic Resource Center (2016): http://usarc.usgs.gov/drg_dload.shtml

The ice and land-mass of Antarctica is nearly 14 million square Km., roughly 1.4 times larger than the United States (National Research Council, 2011, p. 18 & 71) or about 10% of the Earth's surface (Joyner, 1998, p. 3). Even in Summer-time, less than 0.4% of the continent is ice-free (Convey, Brandt & Nicol, 2013, p. 161). But that is approximately 44,890 square Km., roughly the size of Denmark (Rubin, 2008, p. 26), although new research indicates that the ice-free portion is only .18% (Phys.org, 2016).

The area of permanent snow and ice is huge, more than 13 million square Km. (Masson-Delmotte, 2013, p. 67). It is not only bigger than the continent of Australia, but it is almost the size of South America. And, in some places, this extraordinary accumulation of snow and ice reaches 4.5 Km. thick (Rodgers, 2013, p. 301). The water frozen in Antarctica represents about 80% of the world's terrestrial fresh-water (Masson-Delmotte, 2013, p. 77).

The land-based East Antarctic ice-sheet consists of a dense sheet of ice over a solid mass of land (Joyner, 1998, p. 3), whereas the marine-based West Antarctic Ice-Sheet consists mainly of ice-shelves floating on the ocean (Joyner, 2013, p. 116). Parts of the WAIS are more than 1.7 Km. below sea-level (Convey, 2010). Ice-shelves originating from the edges of ice-sheets surround approximately half of the continent. They extend around 100 Km. from their grounding lines and are anywhere from 200-to-700 meters-thick (National Research Council, 2011, p. 55).

Icebergs calve from Antarctica's glaciers, ice-sheets and ice-shelves (National Snow & Ice Data Center (2016c & 2016d), of which hundreds of thousands float in the Southern Ocean, ranging in size from tiny growlers and small bergy bits to gigantic icebergs more than 100 Km.-long. The largest extend 40 m. above the surface and 300 m. below (Rubin, 2008, p. 93). In 2002, an entire ice-shelf the size of Rhode Island, the Larsen B Sheet, crumbled into the ocean off the eastern Antarctic coast (Conway, 2010).

Glaciers, ice-sheets, ice-shelves and icebergs originate on land and consist of frozen fresh-water, whereas sea-ice originates in the ocean and consists of frozen salt-water (National Snow & Ice Data Center, 2016a). There are three types of sea-ice: fast-ice, frozen fast to the continent; drift-ice, floating loosely in the ocean; and pack-ice, floating, but tightly consolidated (Historical Sea Ice Atlas, 2016). Sea-ice of one kind or another surrounds most of Antarctica and in Winter it extends as far as 55° S (in some places up to 1500 Km. from shore) (National Research Council, 2011, p. 45 & 51).

Sea-ice floating in the northern Weddell Sea and the southern Ross Sea increases from 3 million square Km. in the Summer to 18 million in Winter, temporarily doubling the area of Antarctica covered by ice (Masson-Delmotte, 2013, p.69). This is why Antarctica is sometimes called the Pulsating Continent (Beck, 1986, p. 9). And "as sea-ice crystallizes salt is squeezed out" making the Southern or Austral Ocean not only the coldest, but also the saltiest and densest of all oceans (Masson-Delmotte, 2013, p.75). Cold saline water sinks under warm fresh water, due to the difference in densities. This exchange of water is facilitated by the narrow and deep continental shelf that surrounds most of the continent. Antarctic

Bottom Water is the primary source of abyssal circulation (Berkman, 2002, p.106-108). Water from the margins of Antarctica drive “the circulation of currents across all the oceans” (Convey, 2014, p.1).

The Antarctic coastline is 17,968 Km. (U.S. Central Intelligence Agency, 2016b). The Antarctic Circumpolar Current (ACC) flows clock-wise around the continent from west to east. It is the largest current on the planet with a width of 100-to-200 Km. and a depth of approximately 4 Km. And gale force winds are possible 20% of the time in the “Screaming Sixties” (around 60° S) (Australian Antarctic Division, 2016e). 40° S roughly corresponds to the northern extent of the Southern Ocean where the water is warmer and fresher. This is the transitional zone between sub-Antarctic waters and sub-tropical waters. “Defined in this way, the Southern Ocean occupies about 20% of the surface of the global ocean” (Australian Antarctic Division, 2016e). The area of the Southern Ocean is estimated at 20.3 million square Km. with an average depth of 4,500 m. and a maximum depth of 7,235 m. (Fahrback, 2013, p.137-148). And during Winter, it is mostly covered with sea-ice ranging 1-to-3 meters-thick.

The entire Ross Ice-Shelf is floating in the sea. It covers an area of roughly 520,000 square Km., about the size of France. Toward the continent, it is up to 1,000 m.-thick, but towards the ocean is less than 100 m.-thick. Like other ice-shelves, it constantly increases in size on land because of snowing and decreasing in size at sea because of melting. In 1987, the Ross Ice-Shelf calved a massive iceberg (B-15) measuring 37 Km. by 298 Km., the world’s largest, larger than the island of Jamaica (Rubin, 2008, p.301).

As part of the Southern Ocean, there are a number of seas surrounding the continent of Antarctica. Listed clock-wise, they are: the Lazarev Sea just east of 0° longitude, Riiser-Larsen Sea at 25° E, Cosmonauts Sea at 40° E, Cooperation Sea (also known as Commonwealth Sea) at 70° E, Davis Sea at 90° E, Mawson Sea at 110° E, D’Urville Sea at 140° E, Somov Sea at 160° E, Ross Sea at 180°, Amundsen Sea at 110° W, Bellingshausen Sea (on the west side of the Antarctic Peninsula) at 90° W, Scotia Sea at 60° W (at the tip of the Antarctic Peninsula), Weddell Sea (on the east side of the Antarctic Peninsula) at 40° W and King Haakon VII Sea just west of 0°. All these locations are only approximate and there are disputes over nomenclature, as well as boundaries. It should also be noted that the Ross Sea and Waddell Sea resemble huge bays more than seas, as depicted in the detailed International Bathometric Chart of the Southern Ocean (IBCSO, 2016): http://hs.pangaea.de/Maps/bathy/IBCSO_v1/IBCSO_v1_digital_chart_pdfA.pdf

Under the ice-shelf in the Waddell Sea, point 79° S is the most southerly point in the Southern Ocean. But it is still over 2,000 Km. from 90° S, the South Geographic Pole (Convey, Brandt & Nicol, 2013, p.182). And, when speaking of Antarctic “poles”, it should be noted there are a total of five:

1. The Geographic Pole, or Geodetic Pole, at 90° S marks one end of the Earth’s rotational axis where lines of longitude converge. It is currently located near the U.S. station Amundsen-Scott. This is the spot where “all time zones co-exist ... where days intersect and it is possible to move forward into yesterday or backward into tomorrow before running into today” (Berkman, 2002, p. 7). But, due to a slight wobbling of the Earth, the Geographic Pole is moving at about 10 Km. per annum in the direction of 43° W (Rubin, 2008, p. 327).
2. The Pole of Inaccessibility, or Relative Inaccessibility, at 83° S, 55° E marks the spot farthest in every direction from the coast. It is approximately 870 Km. from the Geographic Pole.
3. The Geomagnetic Pole is currently at 78° 30’ S, 111° E near the Russian station Vostok roughly 1283 Km. from the Geographic Pole. It is a di-pole at the intersection of the surface of the Earth and the axis of a bar magnet at the center of the Earth marking a theoretical point at the southern-most end of the Earth’s geomagnetic field (Stackexchange.com, 2017).
4. The “Pole of Cold” is also near the Russian station Vostok. The record for the lowest temperature on the Earth’s surface, -89.2°C, was recorded there in 1983 (Australian Antarctic Division, 2016a).

5. Lastly, the Magnetic Pole currently at 64.5° S, 137.7° E, marks the spot where lines of force converge upward, the point away from which all compass needles point (Sitwell, 2009). It is roughly 2858 Km. from the Geographic Pole. But, due to changes in the Earth's magnetic field, the Magnetic Pole is moving in a north to north-west direction at 5 Km. per annum. Currently, it is in the French sector of the Southern Ocean beyond the Antarctic Circle (Australian Antarctic Division, 2016c).

The Earth is essentially a bar magnet with North and South Poles. But its magnetic field is shaped in the form of a comet, due to the solar wind. In Polar regions, this magnetic field is almost perpendicular to the surface of the Earth facilitating the inflow of solar plasma (Schuch et al., 2001). And Polar Lights, Aurora Borealis and Aurora Australis, result when the Sun's coronal ejections interfere with the Earth's magnetic field (Lanzerotti & Weathermax, 2013, p. 214-215). Both these Northern and Southern Polar Lights occur in the upper-atmosphere, typically 90 to 130 Km. above sea-level, and this great height makes them visible at great distances throughout the year. But they are only visible during the darkness of Winter (Hansen, 2016). And, although beautiful to the human eye, they interfere with human technology including electrical transmission and communication on land, sea, air and space (Lanzerotti & Weathermax, 2013, p. 214-215).

The most powerful solar storm ever recorded occurred in 1859 creating auroras around the world and disrupting telegraph systems in the United States and Europe (National Research Council, 2011, p. 6 & 88). It was named the Carrington Event after the English astronomer Richard Carrington: "Just before dawn the next day, skies all over planet Earth erupted in red, green and purple auroras so brilliant that newspapers could be read as easily as in daylight" (National Aeronautics & Space Administration, 2016). One can imagine the disruption of a similar eruption today, given the widespread dependence on modern electrical technology.

Another interesting visual phenomenon is known as "Looming": atmospheric conditions in Antarctica sometimes permit observation below the horizon and objects hundreds of kilometers away may appear much closer (Rubin, 2008, p. 36). This is due to the extreme refraction of light common in Polar regions. "Looming" may be even more confusing than the mirror images of a desert *mirage*.

But it is nothing compared to a "Whiteout", which results when light is reflected back and forth between an overcast sky and a surface of snow and/or ice. This phenomenon may result in a loss of both perspective and balance (Belanger, 2006, p. 75). Recently, the "Whiteout" phenomenon was found to be a key cause of the 1912 infamous sinking of the cruise-liner "Titanic" by masking until the end the actual distance of the colliding iceberg. "Whiteouts" are similar to "Blue-outs" over the Southern Ocean, when sometimes sky and sea appear to be the same color causing the horizon line to disappear. Icebergs and islands then appear to float on a blue background (Rubin, 2008, p. 312).

Antarctic Exploration

The English expedition led by Edmond Halley in 1698 marked "the beginning of the exploration of the Southern Ocean and the Antarctic", followed by James Cook's later one in 1768 that "began to chart the real limits of the Southern Ocean for the first time" (Walton, 2013, p. 2).

Thereafter, the historical basis of French claims in Antarctica began in the Eighteenth Century with explorers such as de Lozier, du Fresne, de Tremarec and d'Entrecasteaux and continued with d'Urville in the Nineteenth Century and Charcot in the Twentieth Century (Sulikowski, 2013, p. 167-168). But controversies continued since the first sighting of the continent (Beck, 1986, p.23; Belanger, 2006, p. 8).

In 1819, the Russian expedition led by Fabian Gottlieb Thaddeus von Bellingshausen was the first to sight any land within the Antarctic Circle, named Peter I Island, and he was: "the first to sight the Antarctic continent, if the edge of the ... ice shelf ... is considered as part of the continent" (Walton, 2013, p. 4-5). On 27 January 1820, von Bellingshausen and Mikhail Lazarev of the Russian Imperial Navy

were likely the first to sight the actual Antarctic continent itself. On 30 January 1820, Edward Bransfield and William Smith of the British Royal Navy were probably the second. And then on 18 November 1820, Nathaniel Brown Palmer, an American sealer was likely the third (Connecticut Humanities, 2016), followed on 7 February 1821 by another U.S. sealer, John Davis, who probably also made the first landing in Antarctica (Orheim, 2013, p. 274) along its peninsula (as distinct from the continent).

In 1841, the British explorer James Clark Ross, sailing along the Ross Sea, claimed its eastern coast as Victoria Land (Berkman, 2002, p.35). In 1895, a Norwegian expedition led by Henryk Bull “was the first to first to land on the continent (distinct from the peninsula) ... the first to overwinter on land (Victoria Land), (and) the first to make a sledge journey on the Ross Ice Shelf” (Walton, 2013, p.9-10). In 1907-09, another British expedition by Ernest Shackleton came within 97 miles of the South Pole, followed by another legendary heroic attempt to cross the continent in 1914-16 (Belanger, 2006, p.11; Rubin, 2008, p.58-59; Sitwell, 2009).

In 1911-12, the race to reach first the South Pole garnered world-wide attention as the apex of the Heroic Age of Exploration (Peterson, 1988, p.33; Klotz, 1990, p. 5): the Norwegian expedition under Roald Amundsen finally reached 90° S on 14 December 1911, while a rival British expedition under Robert Scott reached the Pole on 17 January 1912, but all five of its members perished on their way back (Belanger, 2006, p. 11; Rubin, 2008, p. 52-55). The U.S. Southern Pole station at 90° S is named Amundsen-Scott in their honor, and the *Antarctic Explorer* publishes a superb fold-up map with a longer list of explorers, each with picture and informational captions (Sitwell, 2009). The Heroic Age was not only about making discoveries and getting rich, it was also about scientific discoveries, “planting the flag” and “asserting territorial claims on behalf of the sovereign who sponsored these expeditions” (Rothwell, 2010, p.17).

Territorial Claims

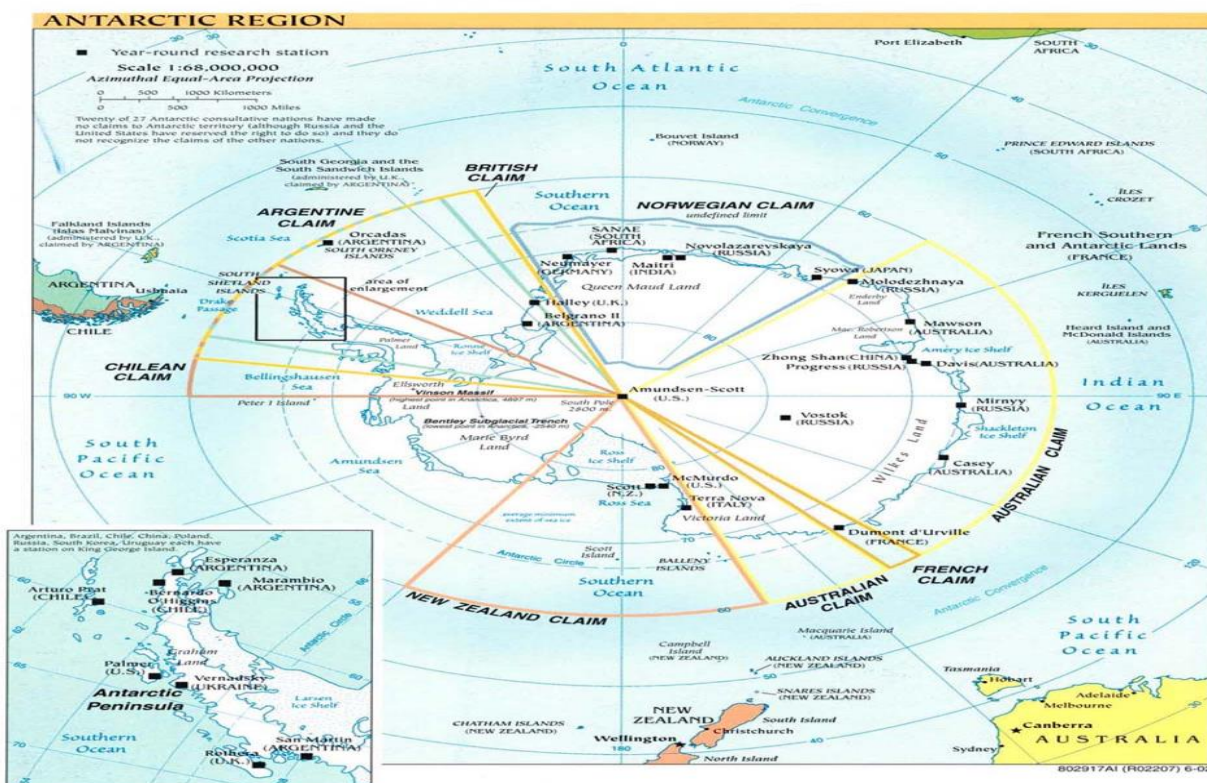
Seven nations have made sector claims to Antarctic territory. And two other nations have reserved the right to do so. These pie-shaped claims are drawn from the South Pole to arcs in the Southern Ocean (Belanger, 2006, p.5 & 16). A political map of the Antarctic Region is shown on the next page, courtesy of the U.S. Central Intelligence Agency (C.I.A.), which shows both territorial claims and year-round research stations (University of Texas, 2016). The book, *The Deep Freeze*, by Dian Belanger provides excellent descriptions of U.S. research stations (2006), while the book, *Science into Policy*, by Paul Berkman is probably the best primary textbook on Antarctic research and government (2002).

Before the Heroic Age of Exploration, the continent of Antarctica was declared *terra incognita* (unknown land) (Convey, Hughes & Tin, 2012, p. 11), as well as *res nullius* (nobody’s property) or *terrae nullius* (unclaimed virgin lands/Global Commons), due to the lack of indigenous people (Collis, 2010, p.389; Hemmings, 2012, p.72-75). Since then, seven countries laid claims on Antarctic territory, with the first five fully counted, a sixth partially counted, while the seventh and eight not counted for different reasons:

1. In 1908 Great Britain claims runs counter-clockwise from 20° W to 80° W ($80 - 20 = 60$ degrees or $60/360 = 16.66\%$ of Antarctica) with 2 permanent research stations (Halley and Rothera) and hosts 9 other states’ bases in the South Shetland Islands near the tip of the Antarctic Peninsula (Argentina, Brazil, Chile, Uruguay, Russia, Ukraine, Poland, China and South Korea).
2. In 1923 New Zealand, counter-clockwise from 150° W to 160° E ($30 + 20 = 50$ degrees or $50/360 = 13.89\%$ of Antarctica), and has a permanent base (Scott), while also allowing other states’ permanent bases in its Sector (U.S.’ McMurdo and Italy’s Terra Nova Bases).
3. In 1933 Australia, counter-clockwise from 160° E to 45° E excluding the French sector (17 degrees 58 minutes $+ 91$ degrees 11 minutes $= 109$ degrees 9 minutes or 6549 minutes/ 21600 minutes $= 30.32\%$ of Antarctica), as the largest Antarctic claim with three permanent bases (Mawson, Davis and Casey).

Australia also allowed other states to install in its Sector their permanent bases (4 Russian and China). The combined claims of three Commonwealth nations comprise two-thirds of Antarctica (Beck, 1986, p.29).

4. In 1938, France, counter-clockwise from 142°2' E to 136°11' E (5 degrees 51 minutes or 351 minutes/21600 minutes = 1.63% of Antarctica) with a permanent base (D'Urville). Paris' initial claim of 1924 was imprecise (Joyner, 1998, p.17) and her second precise 1938 claim fell within the Australian sector, but the three Commonwealth states and France recognized each other's claims in 1938 and a "circle of mutual recognition expanded to include Norway the following year" (Klotz, 1990, p.8 & 12).
5. In 1939 Norway, counter-clockwise from 45° E to 20° W, but not quite a full Sector to the South Pole (65 degrees or 65/360 = 18.06% of Antarctica), but without its own national permanent base it has allowed other states (Russia, Germany, South Africa, India, Japan) to install permanent bases there. Norway eschewed the Sector Principle in Antarctica to protect its claims in the Arctic (Beck, 1986, p.126).
6. In 1940 Chile, counter-clockwise from 53° W to 90° W, but only 80° W to 90° W is partially counted (10 degrees or 10/360 = 2.77% of Antarctica) since the remainder overlaps the rival claims of both Great Britain and Argentina) and permanent bases (Pratt and O' Higgins) in the Antarctic Peninsula.
7. In 1946 Argentina, counter-clockwise 25° W to 74°W is not counted since it fully overlaps the rival claims of both Great Britain and Chile, but it should be noted that Argentina made "the first of several pronouncements claiming title to Antarctic territory" in 1940 (Klotz, 1990, p.XXV) and has 6 permanent bases (Orcasdas in South Orkney Islands, Belgrano II on the Antarctic continent and 4 in the peninsula). These claims controversy is called the "ABC dispute" (Howard, 2013, p.14).
8. These seven claims above still leave a large unclaimed portion, Marie Byrd Land, counter-clockwise from 90° W to 150° W (60 degrees or 60/360 = 16.66% of Antarctica).
9. Germany's claims to the Antarctic continent were never recognized despite "expeditions in 1873, 1882-83, 1901-03, 1928-29 and 1939-40" (Peterson, 1988, p. 64), while the 1939-40 secret Nazi German expedition to Antarctica by Alfred Ritscher dropped from planes 1.5 million darts inscribed with Swastikas to establish future sovereignty (Rubin, 2008, p.64). Today's democratic Germany manning a permanent base in the Norwegian Sector.



10. Both United States and Russia “maintain a claim on all of Antarctica based on their explorations” (Orheim, 2013, p.276) and have reserved the right to make official claims in the region (Beck, 1986, p.124) “assert[ing] the basis of [their] claims alongside their repudiation of the seven overt claims” (Hemmings, 2012, p.76). Thus, the U.S. Amundsen-Scott Base sits astride the South Pole at the intersection of all Sectoral claims, while McMurdo Base is inside the New Zealand Sector and Palmer Base in the Antarctic Peninsula.

Indeed, in 1946-47 the U.S. Navy conducted “Operation Highjump”. It was officially a training exercise that brought 4,700 men, 13 ships and 33 aircraft to Antarctica, and used both icebreakers and helicopters for the first time in the region (Rubin, 2008, p. 64). In 1954, U.S. “President Eisenhower ... decided ... to continue the policy of asserting undefined ‘rights’ in the region” (ibid, p. 25). This was based in part on “Operation Highjump in 1946, which remains by far the largest expedition ever to take place in Antarctica” (Orheim, 2013, p. 277). In 1955-56, the U.S. Navy conducted “Operation Deep Freeze I” as a military operation to effectively reopen Antarctica for scientific exploration just prior to the International Geophysical Year of 1957-58 (National Research Council, 2011, p. 75).

Other international tensions on rival Polar claims rose since the 1949 claim by the “Soviet All-Union Geographic Society” that the Russian sailors Thaddeus Bellingshausen and Mikhail Lazarev had ... been the first to discover parts of the Antarctic continent” (Klotz, 1990, p. 24). The USSR, now Russia, has created 6 permanent bases in Antarctica, 4 in Australia’s Sector, a fifth one in the U.K. Sector and a sixth one in Norway’s Sector. This was followed in 1952 by an Argentine shore party actually firing towards a rival British survey party also at Hope Bay off the tip of the Antarctic Peninsula, but no one was injured (Klotz, 1990, p. XXV).

In 1947, the Woman’s International League for Peace and Freedom advocated that a U.N. committee take control of both the Arctic and Antarctic. But this was impossible since the U.N. lacked any legal or other competence in both Polar regions (Triggs, 2011, p. 41). In 1949, a tripartite agreement was signed by the ABC disputants (Argentina, Britain and Chile) to limit “the deployment of warships south of 60 degrees S, and this agreement was renewed annually ... until superseded by the Antarctic Treaty” in 1959 (Walton, 2013, p. 17).

Regional Agreements

In the late-Nineteenth and early-Twentieth Centuries, scientific cooperation in the Polar regions was “concentrated on the more accessible, more germane polar North” (Belanger, 2006, p. 2). But the first International Polar Year (IPY) from 1882 to 1883 featured some collaboration between the German expedition to South Georgia Island and the French expedition to the Tierra del Fuego Island.

International cooperation on polar science was stopped in its tracks by World War I (1914-18). And the second International Polar Year (1932 to 1933) focused almost exclusively on the nearby Arctic, due to lack of funds during the Great Depression (Summerhayes, 2013, p.254). World War II (1939-45), like the Great War also stopped all International Polar cooperation. And the fear that the Korean War (1950-53) might explode into World War III between the rival blocs (S. Korea-U.S.-NATO-U.N. vs. N. Korea-China-USSR) led the international focus to shift again to the Arctic (Belanger, 2006, p. 27).

The third International Polar Year in 1957-1958 was renamed the International Geophysical Year (IGY). But “the main focus was again on the Polar regions, and ... the largest effort was in Antarctica” (Orheim, 2013, p.280). This was “the turning point in Antarctic affairs ... [as] 12 nations signed up to take part in the Antarctic component of the IGY” (Walton, 2013, p. 19-20): Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, South Africa, U.K., U.S.A. and USSR (now Russian Federation). These nations subsequently met in the U.S. to discuss a regional Antarctic agreement to internationalize the South Pole.

Antarctic Treaty

The Antarctic Treaty was signed by all 12 states in Washington, D.C. on 1 December 1959 and ratified by 23 June 1961 (Orheim, 2013, p. 281). The primary purpose of the Treaty is to promote “international cooperation in scientific investigation” (Article III (1)) and “freedom of scientific investigation” (Article II). According to Article VI, the Treaty applies to the area South of 60° S including ice-shelves to cover the entire continent and an area of the Southern Ocean beyond 66°33’ S, the Antarctic Circle (Rothwell, 2012a, p. 37).

Only seven nations have made formal claims to Antarctic territory: Argentina, Australia, Chile, France, New Zealand, Norway and the U.K. although both Russia and the U.S. have reserved the right to do so. It should be noted that Russian stations ring the continent and that one U.S. base, Amundsen-Scott, is located where all claims intersect wedge-like at the South Pole (Beck, 1986, p. 72 & 49). The land and sea between 90° W and 150° W (60 of 360 degrees or 16.66%) remains officially unclaimed by any nation. But the unclaimed status of this area has not prevented it from being considered part of the area covered by the Antarctic Treaty (Beck, 1986, p. 135).

Article IV of the Treaty is designed to “preserve the *status quo* ... (and) “no new claims have been made to Antarctica by any state” (Rothwell, 2012a, p.35, 38 & 45). The Treaty formally codifies a gentlemen’s agreement *modus vivendi*, (Klotz, 1990, p.47) to disagree on the matter of sovereignty (Vidas, 1996a, p.37). In addition to three categories of non-claimants, claimants and semi-claimants (the U.S. and Russia), there are six categories of Treaty membership based on Article IX divided in three sets:

- 1) non-parties and parties;
- 2) non-Consultative Parties and Consultative Parties; and
- 3) conditional Consultative Parties and unconditional Consultative Parties. The unconditional category represents the original 12 contracting parties to the Treaty (Article IX 1). The conditional category represents those nations that subsequently acceded to the Treaty and continued to demonstrate persistent interest in Antarctica by conducting research there (Article IX 2). Both unconditional and conditional Consultative Parties are entitled to appoint representatives to participate in Consultative Meetings.

According to Article XII (1), the Antarctic Treaty may be “modified or amended at any time by unanimous agreement” of those entitled to participate in Consultative Meetings. Although non-Consultative Parties have been permitted to attend these meetings since 1983, they lack any formal decision-making power (Vidas, 1996a, p.55). The first Antarctic Treaty Consultative Meeting was held in 1961 (Klotz, 1990, p.XXVI). ATCMs were biennial until 1994 and annual thereafter. They are hosted by Consultative Parties in alphabetical order using the English spelling of member-states (Secretariat of the Antarctic Treaty, 2016f).

The Antarctic Treaty “contributes to demilitarizing and denuclearizing one-tenth of the Earth’s surface” (Joyner, 2013, p.113). Article I (1) stipulates that “Antarctica shall be used for peaceful purposes only.” And Article V (1) stipulates that “nuclear explosions ... and the disposal ... of radioactive waste ... are prohibited.” Antarctica is in fact “the world’s oldest nuclear-weapons-free-zone” (Peterson, 1988, p.222).

Article VII gives designated observers “complete freedom of access ... to all areas of Antarctica” mandating that “all stations ... be open at all times to inspection.” It also permits “aerial observation ... over ... all areas of Antarctica” by designated observers. But enforcement of the Antarctic Treaty provisions is problematic since its administrative body, the Antarctic Secretariat, has no power beyond what is necessary to carry out its own functions (Jabour, 2010, p. 28).

Article I (2) stresses that military activities to support “scientific research or ... any other peaceful purpose” is permissible. But there is no provision for any Antarctic police force and there are no such forces stationed anywhere on the continent, while “the effect of Article VIII (1) is to reaffirm jurisdiction

based on nationality” (Rothwell, 2012b, p.138 & 137). Soldiers and sailors of contracting parties are capable of acting as peace officers on land and sea for law enforcement purposes “to engage in law enforcement activities, especially at sea” (Rothwell, 2012b, p.151 & 138). But “law enforcement in Antarctica has always been problematic because of uncertainty regarding sovereignty and jurisdiction” (Davis, 2007, p. 143).

A copy of the original Antarctic Treaty is posted on the website of the Secretariat (2016a): http://www.ats.aq/documents/ats/treaty_original.pdf as well as a current list of the 53 parties (29 Consultative Parties and 24 non-Consultative Parties) to the Antarctic Treaty (2016d): http://www.ats.aq/devas/ats_parties.aspx?lang=e

ATS

The Antarctic Treaty System (ATS) operates according to the 1959 Antarctic Treaty, including the 1964 Agreed Measures for the Conservation of Antarctic Fauna and Flora (AMCAFF), the 1972 Convention for the Conservation of Antarctic Seals (CCAS), the 1980 Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR), and the 1991 (Madrid) Protocol on Environmental Protection to the Antarctic Treaty (Rothwell, Scott & Hemmings, 2012, p.1). But “the ATS has limited grip on actors that are not subjected to the jurisdiction of Contracting Parties to the relevant ATS-instruments (third-state activities)” (Bastmeijer, 2011, p. 28).

AMCAFF

The Agreed Measures for the Conservation of Antarctic Fauna and Flora was signed in 1964 by the Consultative Parties and entered into force in 1964 (Berkman, 2009, p. 531). It applies to the area of the Antarctic Treaty, south of 60° S, including all ice shelves. The Treaty itself “is silent on the questions of whether to permit and how to regulate the exploitation of Antarctic and Southern Ocean resources” (Peterson, 1988, p. 49).

The AMCAFF protects native mammals, native birds, and native plants. But biodiversity is extremely low on the continent. Most life exists in the sea. Algal blooms in the summer provide food for invertebrates such as krill. And these provide food for fish and “higher predators including penguins, whales, seals, and flying birds” (Hughes and Convey, 2014, p. 1-2). A list of the Agreed Measures can be found at the Center for International Earth Science Information Network (2016): <http://sedac.ciesin.org/entri/texts/acrc/aff64.txt.html>

CCAS

The Convention for the Conservation of Antarctic Seals was signed in 1972 and entered into force in 1978 (Orheim, 2013, p. 296). The CCAS specifically protects seals, while whales are specifically protected outside the ATS by the International Whaling Commission. The CCAS Convention is posted on the website of the Secretariat of Antarctic Treaty (2016c): http://www.ats.aq/documents/recatt/Att076_e.pdf

CCAMLR

The Convention on the Conservation of Antarctic Marine Living Resources was signed in 1980 and entered into force in 1982 (Orheim, 2013, p. 296). CCAMLR first as a Convention and later as a Commission “has provided leadership in a number of key areas” including: application of the Precautionary Principle and Ecosystems Approach; and curtailment of illegal, unreported and unregulated (IUU) fishing or incidental catch of seabirds in fisheries (Haward, 2012, p. 222 & 235).

The European Union and 24 states are members of the current Commission, while 23 of these are Consultative Parties to the Antarctic Treaty. The 24th state is Namibia, neither a Consultative Party

nor a non-Consultative Party to the Treaty (Commission for Conservation of Antarctic Marine Living Resources, 2016b). Nine other states, although they are not members, have acceded to the Convention (Commission for the Conservation of Antarctic Marine Living Resources, 2016a).

CCAMLR applies to the Southern Ocean beyond 60° S, the Antarctic Treaty boundary, to the Antarctic Convergence. Since the Convergence fluctuates (described later), the Convention publishes specific geographic coordinates (Klotz, 1990, p.74) between 60° S and 50° S to define its outer-limits (Redgwell, p.210). The area of jurisdiction is then broken-down into sub-areas and divisions using a Conservation Grid (Joyner, 1998, p.135). And the rules of CCAMLR are transparent, as well as non-discriminatory so they satisfy the key requirements of World Trade Organization (WTO) (Haward, 2012, p.232). The Convention is found on the website of the Secretariat of the Antarctic Treaty (2016b): http://www.ats.aq/documents/ats/ccamlr_e.pdf

CRAMRA (not ratified)

Whereas CCAMLR deals with life in the surrounding sea, the 1988 Convention on the Regulation of Antarctic Mineral Resource Activities (CRAMRA) would have dealt with drilling and mining had it been ratified. It featured a strict regulatory regime to protect the environment. But due to pressure from Third World nations and green activist groups, both Australia and France “refused to participate” (Joyner, 2013, p. 119). Instead Australia and France supported the Protocol on Environmental Protection.

PEPAT (Madrid Protocol)

The Protocol on Environmental Protection to the Antarctic Treaty, more commonly known as the Environmental or Madrid Protocol, was signed in 1991 and entered into force in 1998 (Orheim, 2013, p.289) after it was ratified by the Consultative Parties that originally signed the Protocol in 1991 (Australian Antarctic Division, 2016b). Its advisory body, the Committee for Environmental Protection (CEP), was organized in 1998 (Dudeney & Walton, 2012, p. 2).

The Protocol placed an indefinite ban on the exploitation of non-living resources (Sulikowski, 2013, p. 174) and thus rendered moot the Question of Antarctica that was placed in 1983 before the United Nations General Assembly (UNGA) (Hemmings, 2014, p. 3). And, in 2005, the Antarctica Question was finally removed from the active agenda of the UNGA (Hamzah, 2013, p. 96-99).

The Protocol was clearly a victory for green groups advocating a World Park and the international conservation of resources (Bastmeijer, 2011, p. 23-24). But it was ironically a defeat for Third World nations promoting the Common Heritage of Mankind (CHM) and a redistribution of wealth to them. It was also a defeat for those nations favoring CRAMRA, which offered a balance between economic development and environmental protection.

The Protocol applies to all activities in the Antarctic Treaty area (Joyner, 1998, p. 81). But “the protection of ... geological ... values has not featured as prominently as the protection of biological values” (Hughes et al, 2016, p. 5). Like CAMMLR, the Protocol applies beyond 60° S to the Antarctic Convergence in an area of the Southern Ocean described as “Antarctic Marine ecosystem” (Berkman, 2002, p.176-177). The Protocol is described as a “comprehensive regime for the protection of the Antarctic environment and dependent and associated ecosystems” (Secretariat of Antarctic Treaty, 2016e). It is found on the website of Secretariat of the Antarctic Treaty (2016e): http://www.ats.aq/documents/recatt/Att006_e.pdf

SCAR

The Special (later Scientific) Committee on Antarctic Research (SCAR) was established 1958, the year before the Antarctic Treaty was signed. Its members initially defined Antarctica as bounded by the Antarctic

Convergence, but in 2005 they defined a larger area as bounded by the sub-Antarctic Front, the northern boundary of the Antarctic Circumpolar Current (Scientific Committee on Antarctic Research, 2016b).

The Committee became the informal, but effective scientific mechanism for the Antarctic Treaty Consultative Parties and was instrumental in the development of the 1964 Agreed Measures. SCAR itself became an observer under CCAMLR at the first meeting of the Commission in 1982, but its influence in the ATS declined due to its partisan opposition to CRAMRA in 1988. But, after 1998, SCAR's influence rebounded as a permanent observer in CEP (Hemmings, 2010, p. 7).

SCAR is an inter-disciplinary committee of the International Council for Science (still known as the ICSU after its former name, the International Council of Scientific Unions (Scientific Committee on Antarctic Research, 2016a). Its membership consists of 37 nations and 9 ICSU Scientific Unions. To achieve full voting status, a member must demonstrate interest in Antarctic science with an active research program (Lopez-Martinez & Sparrow, 2014, p.128).

ATS vs. the World

The Antarctic Treaty System is not a homogenous organization. It is bifocal in that it "allows claimant and non-claimants to pursue their respective interest through the system" (Howard, 2013, p.18). It is trifocal if one adds a category of semi-claimants for the U.S. and Russia, countries that have reserved the right to make claims in the future; and is quadrifocal if one adds as category the counter-claimants of Argentina, Great Britain and Chile (ABC countries with overlapping claims) (Dodds, 2012, p.108 & 114).

The ATS is nonetheless criticized by the Third World as an exclusive club that monopolizes Antarctic resources (Beck, 1986, p. 289). Developing nations complain that the region is "controlled by a select group ... making International Law and Antarctic policy explicitly for themselves and implicitly for the international community" (Joyner, 1998, p.48). Yet these same Developing nations are not at all shy about exercising their own sovereign rights and monopolizing their own natural resources.

Although the Third World could be viewed by the ATS as an unruly mob, the club has attempted to deal with the Antarctic Problem by recognizing all interested nations one way or another. For example, the number of Consultative Parties to the Antarctic Treaty has grown from 12 in 1950 to 29 today. In addition, there are now 24 non-Consultative Parties that "are invited to attend the Consultative Meetings but do not participate in the decision-making" (Secretariat of Antarctic Treaty, 2016d). But, in general, attempts by the ATS to please everyone have in fact pleased no one, particularly those the Third World.

India put the Question of Antarctica on the agenda of the United Nations General Assembly in 1956. But its support for the internationalization of the continent in the form of a U.N. Trusteeship was dropped after objections from Chile and Argentina (Elzinga, 2013, p. 200). "The United Nations ... debates on the Question of Antarctica ... ensued from Malaysia's (anti-colonial) critique ... cleverly sold to like-minded countries from the South ... (using) the popular concept of the *Common Heritage of Mankind* (advocated by Malta)" (Hamzah, 2013, p.96-97). In 1983, the Question of Antarctica was formally addressed by the U.N. for the first time. But the debate "as well as discussions in subsequent years failed to bridge the gap between critics and supporters" (Klotz, 1990, p. 110-111).

Public opinion and policy among the Consultative Parties is gradually shifting from Idealism to Realism. For example, "New Zealand's initiative in helping Malaysia to take a positive role in Antarctica illustrates how ... it manages to both up-hold the Antarctic Treaty and to maintain its own claimant rights" (Brady, 2013, p. 159).

But after "proposing that Antarctica should be managed by the United Nations or run as a world park ... (there was) a gradual realization that collective action ... would not always ... protect New Zealand's national interests" (Ibid, p. 149).

Antarctica under International Law

IWC

In 1946, International Convention on the Regulation of Whaling was established followed by the International Whaling Commission (Whale & Dolphin Conservation, 2016). Its 1980 moratorium on all commercial catches became effective in 1986. And in 1994, the IWC established the Southern Ocean Whale Sanctuary (Rubin, 2008, p. 101). But the sanctuary is ineffective due to “the IWC's failure so far to organize long-term surveillance of the region” (Antarctic & Southern Ocean Coalition, 2016c). “Some states prioritize conservation, while others favor sustainable exploitation”. Other states such as Japan ignore the ICRW altogether “under the guise of scientific research” (Plant, 2015, p. 40) and Tokyo has resumed limited whaling in early-2019.

IMO

The 1948 Inter-governmental Maritime Consultative Organization was established and became operationally effective in 1959. In 1982 its name was changed to the International Maritime Organization (IMO). The IMO is specialized agency of the U.N. whose mission is “is to promote safe, secure, environmentally sound, efficient and sustainable shipping through cooperation” (International Maritime Organization, 2016a). But inspection and monitoring are responsibilities of numerous states making uniform enforcement problematic (Craig, 2010, p. 16)

UNCLOS

The Third Law of the Seas (UNCLOS) was signed in 1982 replacing pre-existing the U.N. maritime treaties of 1958. The United Nations Convention on the Law of the Sea (United Nations, 2016b) can be found in its entirety at: http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf UNCLOS became effective in 1994. But implementation was left to other organizations, including the International Whaling Commission (IWC), the International Maritime Organization (IMO), and International Seabed Authority (ISA) (discussed later). Enforcement was left to member-states. And such delegation of authority to other organizations and member-states makes the implementation and enforcement of maritime law problematic.

Territorial Sea (12 NM)

According to Article 2: “The sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea. This sovereignty extends to the air-space over the territorial sea, as well as to its bed and subsoil.”

According to Article 3: “Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles (13.8 statute miles or 22.2 Km.), measured from baselines determined in accordance with this Convention.”

According to Article 5: “Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.”

Contiguous Zone (24 NM)

According to Article 33 (1): “In a zone contiguous to its territorial sea, described as the contiguous zone, the coastal State may exercise the control necessary to: (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; (b)

punish infringement of the above laws and regulations committed within its territory or territorial sea.” According to Article 33 (2): “The contiguous zone may not extend beyond 24 nautical miles (27.6 statute miles or 44.4 Km.) from the baselines from which the breadth of the territorial sea is measured.”

Exclusive Economic Zone (200 NM)

According to Article 56: “In the exclusive economic zone, the coastal State has: sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds.” According to Article 57: “The exclusive economic zone shall not extend beyond 200 nautical miles (230 statute miles or 370 Km.) from the baselines from which the breadth of the territorial sea is measured.”

Continental Shelves and Extended Continental Shelves

Baselines defined as low water lines are confusing in Antarctica, due to coastal ice. Otherwise, the Law of the Sea is fairly straightforward with regard to Territorial Seas, Contiguous Zones and Exclusive Economic Zones. The Law of the Sea is however extremely confusing with regard to Continental Shelves and Extended Continental Shelves (Craig, 2016, p. 15-17). Ambiguous wording with regard to the seabed adjacent the continents makes interpretation and enforcement of international law difficult if not impossible. And confusion not only exists with respect to the delimitation of claims, but also with respect to the distribution of wealth through the International Seabed Authority.

ISA

The International Seabed Authority is an autonomous international organization. But it was established under UNCLOS (International Seabed Authority, 2016a). According to Article 82: “The coastal State shall make payments or contributions in kind in respect to the exploitation of the non-living resources of the continental shelf beyond 200 nautical miles ... annually ... after the first five years ... for the sixth year, the rate ... shall be 1% of the value or volume of production ... (and) increase by 1% for each subsequent year until the twelfth year and shall remain at 7% thereafter ... through the Authority, which shall distribute them to States Parties to this Convention.”

International Agreements

The 1993 Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (the Compliance Agreement) applies to large parts of the Southern Ocean. But it relies on “Flag State Responsibility” (United Nations, 2016c). And reliance on flag-state jurisdiction means it is difficult if not impossible to control the activities of ships flying the flags of nations that are not parties to the various Conventions (Peterson, 1988, p. 110).

The 1995 United Nations Fish Stocks Agreement (UNFSA) “reinforces the roles of regional fisheries management organizations (RFMOs) ... (with) significant non-flag state enforcement powers” (Haward, 2012, p. 220-221). It applies to Straddling Fish Stocks and Highly Migratory Fish Stocks including those in the Southern Ocean, both in “areas under national jurisdiction and the adjacent high seas” (United Nations, 2016a). But it is difficult to ensure that measures taken are uniformly enforced.

The 2009 Food and Agriculture Organization (FAO) Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing went into effect in 2016. It is designed to prevent “ill-caught fish from being offloaded and sold” and to share information on “unscrupulous vessels” (United Nations, 2016d). But only 25 nations are currently members, including four claimants to Antarctic territory (Australia, Chile, New Zealand, Norway) and a semi-claimant (United States).

Unsettled Disputes and Pending Claims

The International Whaling Commission (ICW) “declared a moratorium on commercial whaling in 1980 and established a whale sanctuary in the Southern Ocean in 1994” (Mossop, 2012, p. 308). But the dispute between Japan and Australia over whaling goes well beyond the dispute between Japan and the IWC. “Japan considers the Southern Ocean to be the high seas, and Australia’s claim to jurisdiction rests on an exclusive economic zone declared off its ATT (Australian Antarctic Territory)” (Mossop, 2012, p.316).

Article IV (2) of the Antarctic Treaty stipulates that “no new claim, or enlargement of an existing claim, to territorial sovereignty in Antarctica shall be asserted while the present Treaty is in force.” But Article 76 of the U.N. Convention on the Law of the Sea stipulates that “the coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.” Such confusion leads some to question “the ability of any state to regard itself as a coastal state” in Antarctica (Davis, 2007, p. 151).

All seven Antarctic claimants are parties to UNCLOS and “assert that they are coastal states” (Hemmings & Stephens, 2010, p. 313). And, in spite of and/or because of legal ambiguity, all seven claimant nations have submitted full or partial claims to the U.N. Commission on the Limits of the Continental Shelf (CLCS): Australia in 2004, New Zealand in 2006, Argentina in 2009, Norway in 2009, Chile in 2009, Great Britain in 2009 and France with two claims in 2009 (United Nations, 2016f). It should be noted that Chile made its submission only as a Preliminary Information statement (Joyner, 2013, p.115), while “the CLCS does not have the competence to adjudicate between competing coastal states” including the ABC dispute between Argentina, Great Britain and Chile (Dodds, 2011, p. 237).

And it should be noted that the Extended Continental Shelves of sub-Antarctic islands extending into the Antarctic Treaty area have “attracted no substantive attention” as yet even though “the sovereignty of states over these islands is generally accepted” (Hemmings & Stephens, 2010, p.314 & 319). If a claimant attempts to enforce a 200-mile Exclusive Economic Zone south of 60° S, “the fundamental compromise on which the entire Antarctic Treaty is constructed would be undermined” (Klotz, 1990, p.86). But, given the interest that many nations have expressed with regard to Antarctic resources, it is only prudent for claimants to reassert their sovereign rights.

And it is time for the United States and Russia to make specific claims in the unclaimed portion of Antarctica and recognize existing claims of Great Britain, New Zealand, Australia, France and Norway. It is also probably time for Chile and Argentina to resolve their overlapping claims with each other and with Great Britain. In 1952, the Argentines fired warning shots at the British near the tip of the Antarctic Peninsula and in 1982 briefly conquered the British-inhabited Falkland Islands, before losing that war to London who continues to control the Falklands. And in 2012, tensions between the two countries flared-up again after a major oil find near the Falkland Islands. It should be noted that “Antarctica is estimated to have the third largest oil reserves after Saudi Arabia and Venezuela (Basken, 2012, p.2-3).

Science and Business

The First International Polar Year (IPY) in 1882-1883 featured two island observation stations near Antarctica: a German one on South Georgia and a French one in Tierra del Fuego. The Second International Polar Year in 1932-1933 focused mainly on the Arctic, due to the shortage of funds available for research during the global economic depression. The Third International Polar Year, in 1957-1958, renamed the International Geographical Year (IGY), brought scientists from 67 countries to Antarctica. Although it was essentially a civilian exercise, it depended upon military support for logistics. The Fourth International Polar Year in 2007-2009 strengthened not only international collaboration, but also inter-disciplinary approaches particularly with respect to global warming (Summerhayes, 2013, p. 253-254 & 267-269). There are now 40 permanent research stations in Antarctica, 30 Summer-only stations and numerous field camps. An interactive map of main facilities is provided by the Council of Managers of National Antarctic Programs (COMNAP, 2016ba), see: <https://ucnz.maps.arcgis.com/apps/webappviewer/index.html?id=8663617ffa264e45aa3804d0d08fcdf8>

During the Artic Winter, it is almost impossible to deliver supplies anywhere on the Antarctic continent, and even in the Summer, bad weather can interrupt deliveries by ship or plane. Fresh-water is a precious commodity. So, on the coast, sea-water is desalinated (through osmosis) and, farther inland, snow and ice are melted. Research installations generally rely on diesel fuel for their generators. But it too must be transported at least initially via sea or air. Snow-mobiles and polar tractors are hampered not only by cold weather, but also by mountainous terrain, deep crevasses and thin ice. And during mid-Winter visibility remains a problem since it is dark 24 hours a day (Sanson, 2013, p.229, 236, 237, 239 & 250).

The extremes of Winter darkness and Summer daylight can cause both physical and mental health problems similar to jet-lag and shift-work. Living in isolation can lower immunity to disease and increase susceptibility to depression, while working in small groups for long periods presents challenges involving the interactions of different personality types (Rubin, 2008, p. 162-163 & 330). The physical dangers of frostbite and hypothermia remain always present.

Also operations at sea are as dangerous as those on land. Sea-ice is frozen ocean water. It is a seasonal phenomenon that reaches its Winter-maximum in September and October. Along the western coast of the Antarctic Peninsula, sea-ice peaks in a regular cycle every five to seven years. And icebergs calved from continental glaciers, ice-sheets and ice-shelves are hazardous to shipping around the entire continent.

The Southern Ocean is also feared for its extreme weather especially cyclonic storms (rotating clockwise in the Southern Hemisphere). “Strong westerly winds ... circle the ... continent (clockwise) ... (and) the longest current in the world ... the Antarctic Circumpolar Current (also known as the West Wind Drift) ... moves eastward around the continent (clockwise)” (National Research Council, 2011, p.3 & 19). The average flow of the Antarctic Circumpolar Current (ACC) is four times greater than the Gulf Stream (Rubin, 2008, p. 147). And storms in the Southern Ocean produce not only “the strongest westerly winds on the planet ... (but also) extremely large wave heights” (National Research Council, 2011, p.35 & 45). The marine area from the Antarctic coast to the Polar Front, where polar air meets tropical air, is roughly 35 million square Km. (Jabour, 2012, p. 238-239).

This roughly coincides with the area covered by CAMMLR and the Madrid Protocol bounded by the Antarctic Convergence where colder and saltier Antarctic waters meets warmer and fresher sub-Antarctic waters. The Convergence is a natural boundary forming a biological barrier that limits the migration of most species (Joyner, 1998, p. 116). It effectively separates the Southern Ocean from the three major oceans of the world: Atlantic, Indian and Pacific. The Antarctic Convergence varies not only in its width, but also in its distance from the continent according to the seasons and currents. It fluctuates between 20-to-30 miles wide and averages about 1,000 miles off-shore. The Convergence is north of the northern limit of sea ice except for one small area beyond the tip of the Antarctic Peninsula. It is also north of 60° S, the Antarctic Treaty boundary, as well as 66°33' S, the Arctic Circle (Klotz, 1990, p.40-43). The subsections below discuss the typologies of science and business in Antarctica.

Astronomy

“Antarctica is a rich source for meteorites, providing astrobiologists with clues to the origin of life in the universe” (Lanzerotti & Weathermax, 2013, p.223). “Antarctica has a number of important advantages for studies of space related phenomena” including its large land-mass, high elevation and radio quiet areas, due to its limited human presence (Lanzerotti & Weathermax, 2013, p.217-218 & 220).

Space weather is best monitored from both Polar regions since interference from the alignment of the Earth’s magnetic field is less problematic at higher latitudes. Refer to the illustration of magnetic field lines provided by Crystalinks: <http://www.crystalinks.com/earthsmagneticfield.html> Furthermore, astronomical objects viewed from either Pole never rise nor set. Their elevation in the sky is constant, permitting long and uniform observation. But land-based stations at the South Pole are far more stable than sea-based stations at the North Pole (National Research Council, 2011, p.7 & 94).

At both Poles, the atmosphere is flattened by the rotation of the Earth. And water vapor is squeezed out by the extreme cold. This results in thin and dry air that is perfect for studying celestial objects and phenomena (Rubin, 2008, p. 332). “Antarctica is an ideal location to conduct ... astronomical observations” given not only its location on land but also its cold dry air and stable atmospheric conditions (Lanzerotti & Weathermax, 2013, p. 222).

Bioprospecting

“Bioprospecting does not attract special legal attention in the Antarctic” inasmuch as “sample collection is scientific research ... with no major environmental implications” (Jabour, 2013, p.242 & 250). There is however considerable overlap between science and business, pure science and applied science, and research and development (Beck, 1986, p. 102). “Much Antarctic science plays an indirect or, even occasionally, a direct role in facilitating resource development ... (and) competition over resources constitutes a ... threat, to the security of the continent and the wider region” (Scott, 2012, p.293).

Bioprospecting does attract special legal attention from rent-seekers in the Third World who demand a share of any profitable endeavor based on the Common Heritage of Mankind. But “exclusive reward from bioprospecting is as legitimate as exclusive reward from fishing ... (and) describing taxa in the academic literature, will suffice in terms of obligations to all mankind” as set forth in the Antarctic Treaty (Jabour, 2010, p. 28; Jabour, 2013, p. 254-255).

Likewise, a central principle in patent law requires applicants to describe their inventions openly and completely in writing. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) requires that member nations guarantee the owner “an exclusive right which excludes third parties from ‘making, using, offering for sale, selling, or importing’ that product” or process for a period of 20 years (Guyomard, 2010, p. 35). Thus, “the Convention on Biological Diversity is firmly based on the principle of national territoriality” (Guyomard, 2010, p. 34). According to the CBD, “states have the lawful right to use genetic material in ... their territory as they deem appropriate” (Joyner, 2012, p.206-207). The number of patents involving biological material in Antarctica is rapidly increasing and Developing countries insist on sharing the benefits, but not the costs (Tvedt, 2009, p.1-6). Indeed, the most daunting legal problems in Antarctica involve piracy of intellectual property on the one hand and expropriation of company profit on the other as the Third World attempts to pick both pockets by advocating the Common Heritage of Mankind. And “the practice of supporting ‘non-nationals’ through national programs will ... lead to complications in determining subsequent ownership of IPR” (intellectual property rights) (Hughes & Bridge, 2010, p.16).

Fishing

“Fish, if managed correctly, are a renewable resource ... (whereas) hydrocarbons and minerals are, so far as is known today, nonrenewable” (Peterson, 1988, p. 158). But illegal, unregulated and unreported fishing (IUU) is a growing problem in the Southern Ocean since fish stocks elsewhere are collapsing (Dodds, 2010, p. 112). There is particular concern about “the rise of the Chinese fishing fleet as it increasingly enters the Southern Ocean” (Joyner, 2013, p. 121). And, in so vast region, it is difficult to prevent not only IUU fishing, but also shipping accidents that result in pollution of the environment.

Mining and Drilling

Lake Whillans is 640 Km. from the South Pole near the Ross Sea as a sub-surface lake of 60 Km.² in area, but only 2 meters deep, trapped beneath 800 meters of ice. Researchers drilling into the lake have been careful to avoid any contamination that might introduce invasive organisms. They have already found a density of microbial life similar to the benthos of the world’s deep oceans, almost 4,000 species of bacteria and archaea, showing that life has survived there without energy from the Sun for over 120,000 years (Fox, 2014).

Climate change occurred in Antarctica more than 200 million years ago. And it became warm enough and wet enough for the growth of temperate forests and swamps (Storey, 2013, p. 48). The decay of plant matter eventually formed the deposits of today's fossil fuels including coal, oil and gas. One extensive coal seam is located in the TransAntarctic Mountains between East and West Antarctica (Berkman, 2002, p. 56, 83 & 190). But mining for coal is difficult, as is any mining on land, due to the extreme cold. And drilling for oil and gas or anything else is even more problematic, due to all the ice.

The situation offshore is however far worse. Drilling in the Southern Ocean is fraught with difficulty and danger. The continental shelf is the deepest in the world, the ocean is covered with ice most of the year, and wellheads are vulnerable to icebergs scouring the seabed. Clean-up operations from well blow-outs and tanker spills at the end of summer could be delayed for a year. And cold water would retard the process of natural degradation year 'round (Klotz, 1990, p. 90 & 95).

Offshore resources include not only oil and gas but also manganese nodules on the seabed. And it is possible that icebergs will be considered a mineral resource if they can be towed to adjacent lands where water is in short supply. Onshore resources include not only coal but also chromium, cobalt, copper, gold, graphite, iron, lead, molybdenum, nickel, silver, titanium, uranium and zinc (Beck, 1986, p.239, 261-262). Rare earth minerals may be the first to be exploited since prices are high enough to offset the extremely high cost of Antarctic operations (Rodger, 2013, p. 323). But any commercial activity is "unrealistic at present levels of technology" (Orheim, 2013, p. 286) and "it is currently not financially viable to extract ... mineral resources from Antarctica" (Storey, 2013, p. 66).

The situation is however likely to change as supplies elsewhere are exploited to exhaustion and as overall consumer demand increases with the exploding population of the world. Resource extraction in Antarctica is also likely to become more attractive if Third World nations, particularly African and Muslim nations, become even less stable and more violent, because political risk is always an important factor in any decision to invest.

Tourism

The commercial stages of Antarctic history run from sealing, whaling and fishing to tourism (Basberg, 2010, p. 228; Bastmeijer, 2011, p. 16-17). Tourism is now the most important commercial development in Antarctica (Dodds, 2010, p. 113). It was not mentioned in the Antarctic Treaty inasmuch as it was not a "foreseeable phenomenon" (Verbitsky, 2013, p. 222). But, with stronger ships and warmer weather the number of Antarctic tourists has increased over the years (Bastmeijer, 2001, p.24 & 34). And their environmental impact has increased as well.

This includes the interruption of breeding cycles from noise and light pollution, besides mere human presence. It also includes the introduction of alien species, like "seeds and other organisms inadvertently tagged to their shoes or clothes ... with climate change rendering Antarctica increasingly hospitable to species from temperate climes" (*Economist*, 2012). In addition to possible contamination on-shore from visitors, there is possible pollution off-shore from passenger ships. The International Maritime Organization (IMO) has banned the transport and use of heavy fuel oil on vessels in Antarctic waters (effective in 2011), resulting in fewer large and mid-size vessels in the region (Convey, Hughes & Tin, 2012, p. 4-5). But there is considerable inconsistency since "the enforcement of IMO conventions depends upon the Governments of Member Parties" (International Maritime Organization, 2016b).

The International Association of Antarctic Tour Operators was founded in 1991 as an industry group that promotes "safe and environmentally sound private-sector travel" (International Association of Antarctic Tour Operators, 2016). The IAATO "has been proactive in implementing biosecurity practices for tourists and staff going ashore" (Hughes & Pertierra, 2016, p. 152). And the IAATO works closely with the Antarctic Treaty System. But it "does not have any regulatory authority" and many non-IAATO passenger ships have entered into ATS waters (Dodds, 2010, p. 113).

Climate Change

Human activity, whether scientific or commercial, is facilitated by a warming climate. And the range of most species, including plants as well as animals, is projected to shift toward the Poles. Although most of Antarctica has experienced very little warming, the temperature has been rising on the western side of the continent for the past 50 years (Turner et al, 2014, p. 3). At the Palmer Station, on the northwest coast of the Antarctic Peninsula, the average Winter air temperature has increased by 6°C since 1950 (National Research Council, 2011, p. 61 & 64). And the number of Gentoo Penguins has increased at 32 of 45 sites along the Peninsula due to a more hospitable climate (Turner et al., p. 4).

The West Antarctic Ice Sheet is grounded below sea level. Its floating ice shelves are also exposed to the warming of subsurface ocean currents resulting in basal melt. A total disintegration of the WAIS would result in a global sea level rise of about 3.3 meters (Diaz & Keller, 2016, p. 608). This is one of many potential catastrophes that constitute the bread and butter of green groups. But it is a “sore spot among WAIS scientists” as to whether the ice sheet will grow, due to additional snowfall or shrink, due to additional melting of the sheet and calving of icebergs (O’Reilly, Oreskes & Oppenheimer, 2012, p. 710). Some are predicting that future warming will lead to increasing snowfall and a larger ice sheet (Thomas, 2014, p. 307).

Although “the Earth system has been cooling ... superimposed on this long-term cooling trend are short-term climate fluctuations” (Berkman, 2002, p.95). “The anthropogenic climate change signal during the late-Twentieth Century is small compared to the noise associated with natural climate variability” (Previdi & Polvani, 2016, p. 1). The climate is always changing and is influenced by many factors including: the albedo feedback; greenhouse gases; Earth’s orbit, wobble and tilt; ozone layer; solar activity; and volcanic eruptions.

Albedo Feedback

The ice-albedo feedback effect is produced as less sunlight is reflected from water and land than from clouds, snow and ice (Ohio State University, 2008). Albedo is Latin for whiteness and whiteness is a measure of reflectivity. It is a ratio ranging from one or perfectly white, to zero or perfectly black. And a decrease in sea ice and snow, due to warming will result in additional warming, due to reduced reflectivity or albedo (a smaller ratio of light reflected to light received). “Ice and snow reflect some 85% of solar radiation ... (whereas) open water ... absorbs 93%” (Isaacson, 2016, p. 107).

Greenhouse Gasses

Greenhouse gases, including water vapor and carbon dioxide, absorb infrared radiation reflected from the surface of the Earth trapping heat in the troposphere (the lowest region of the atmosphere) (National Research Council, 2011, p. 34). Together, these two gases help to keep the Earth warm enough for life to exist (Berkman, 2002, p. 124-127). H₂O in the clouds provides rainwater that enables plants and animals to drink and CO₂ in the atmosphere enables plants to breathe. This in turn makes photosynthesis possible thus enabling animals to eat. But the concentration of carbon dioxide is increasing exponentially along with the explosion of human population as fossil fuels such as coal and oil are burned. And the greenhouse effect is one contributing factor to the global warming that made the Twentieth Century the warmest in the past millennium (Berkman, 2002, p. 138, 157 & 207).

The climate of Antarctica and the Southern Ocean is variable, due to interactions between the atmosphere, ice and ocean. “This makes detection of a signal due to increasing greenhouse concentrations difficult” (Scientific Committee on Antarctic Research, 2015). If concentrations of greenhouse gases continue to increase, so too will ocean acidification. And this will likely have an adverse impact on the marine life (Turner et al, 2014, p. 5).

Earth's Orbit, Wobble and Tilt

The advance and retreat of ice sheets over the ages is associated with the eccentricity of the Earth's orbit around the sun, the obliquity of the Earth's axis, and the precession of equinoxes (Berkman, 2002, p.95-97). Every 100,000 years, the eccentricity (or lopsidedness) of the Earth's elliptical orbit is at its maximum distance from the Sun (at its aphelion). And a distant Sun results in a cold Earth. Every 40,000 years, the obliquity (or tilt) of the Earth's axis away from the plane of its orbit varies between 22.1° and 24.5° (averaging approximately 23.5°). And more direct sunlight produces more Summer heat (Earth Observatory, 2017b). Every 23,000 years, there is a precession (or movement) of the equinoxes when the Earth (at its perihelion) is closest to the Sun, in either June or December, due to the gyroscopic motion of the Earth on its axis similar to the wobbling of a spinning top. And a closer Sun equals a warmer Earth.

Ozone Layer

The ozone layer in the atmosphere absorbs harmful ultraviolet radiation from the sun that would otherwise damage exposed organisms including humans living on the surface of the Earth. From 1957 to 1983, there was a 40% increase in the size of the Spring-time ozone hole in the ozone layer over Antarctica. The decrease in ozone, O₃, was attributed to an increase in chlorofluorocarbon released into the atmosphere as a refrigerant in air conditioners, as a propellant in aerosols and as a solvent. In 1987, an international treaty was signed to phase out the production of CFC.

Although the Antarctic ozone hole stopped growing in 2014 (Scientific Committee on Antarctic Research, 2015, p. 4), this same ozone hole has for years prevented large parts of the continent from warming. And as the ozone layer recovers, it is estimated that the average temperature on the continent will increase by several degrees and that the sea ice around the continent will decrease by about a third (Howkins, 2011, p. 182, 190 & 193-194).

Solar Activity

Every 11 years and at other intervals, there are changes in solar radiation. The solar cycle in the Twenty-First Century is very weak just as it was in the Seventeen Century during the Maunder Minimum. And low sunspot activity may once again result in cooler temperatures and thus the end of the Modern Maximum (National Research Council, 2011, p. 92) and Global Warming.

Volcanic Eruptions

Volcanic activity can produce warmer weather since "the molten core of the Earth has temperatures above 5000°C, which is nearly as hot as the sun" (Berkman, 2002, p. 9). And eruptions produce huge quantities of CO₂ that blanket and warm the Earth. But volcanic activity can also produce cooler weather since volcanic ash reduces the amount of sunlight reaching the Earth (Harpp, 2002).

Polar Effects

Polar effects are evident in the various states of water. H₂O is found in the atmosphere as a vapor, in the ocean as a liquid, and in ice sheets as a solid. In Polar regions, it falls as snow and is compacted into ice on land that later melts into the sea. But "climate impacts are asymmetric around the Earth with ice sheets retreating earlier and more massively in the northern hemisphere than around Antarctica" (Berkman, 2002, p. 78, 111, 103). And "in stark contrast to the rapid warming of the Arctic, Antarctica and the Southern Ocean present a mixed picture" (National Research Council, 2011, p. 33).

Antarctic Effects

The ice sheets of Antarctica, with ten times more ice than the rest of the Earth, are divided into three major regions: the Antarctic Peninsula, West Antarctica and East Antarctica (Rodger, 2013, p.304). Over the past 50 years, winter temperatures on the Peninsula have risen 4°C but have remained more or less constant in the rest of Antarctica (Rodger, 2013, p. 302). Although West Antarctica is a little warmer during both Winter and Spring, the largest portion of the continent, East Antarctica, shows little change (National Research Council, 2011, p. 38).

Over the past 50 years, average annual temperature for 96% of the continent has not increased. But for the remaining 4% on the Antarctic Peninsula, it has increased by 3°C, ten times faster than the world average (Joyner, 2013, p. 116). Over the past 50 years, 87% of 244 glaciers on the Peninsula have retreated. And over the past 25 years, 40% of the sea ice off the Antarctic Peninsula has melted (Joyner, 2013, p.116).

The rise in water temperature west of the Antarctic Peninsula is the highest on record in the Paleolithic period of the past 10,000 years. Sea ice there has decreased 6.8% per decade since satellite observation began in 1979. Prevailing winds have contributed to a reduction of sea ice in this area, but they have also contributed to an increase in other areas.

Sea ice in the Ross Sea has increased 4.5% per decade during the same period. And overall there has been a 1.0% per decade increase in sea ice around the continent (Rodger, 2013, p. 312). Antarctic sea ice has increased by an average of 18,900 Km.² per year since satellite observations began in 1979. And it has now “reached a new record high” (Ramsayer, 2014).

Antarctic sea ice is steadily increasing while Arctic sea ice is rapidly decreasing. But climate models tend to predict a moderate decrease in both regions. This implies that there are systemic errors and biases in these simulations (Rosenblum and Eisenman, 2016, p. 1 & 6). A possible omitted variable bias (OVB) may have to do with the wind.

The Antarctic Oscillation influences the extent of sea ice. It is a see-sawing atmospheric mass between the South Pole and mid-latitudes with changing wind speed and direction. The strengthening of the westerlies isolates much of the continent and tends to have an overall cooling effect. It causes however dramatic warming on the Antarctic Peninsula as warmer air above the oceans to the north is drawn southward (Earth Observatory, 2017a).

Antarctica in International Relations**SuperPowers**

Both Russia (as the successor state of the former-Soviet Union/USSR) and the United States reserve their rights to make claims in Antarctica based on their historic explorations. And neither country has recognized the Antarctic claims of other nations. Russia and the U.S. are “the two largest players in the Antarctic ... (and) ‘effectively occupy’ areas ... valued due to their scientific, economic and political importance ... (with) permanent stations and field bases ... regular voyages ... flights and traverses” (Gan, 2013, p. 136). The Russians run rings around the continent with their stations and the Americans secured the center of attention with their station at the Geographic South Pole.

And critics complain that the Antarctic Treaty System “remains effectively a select club dominated by the claimant states and Cold War warriors (U.S. and Russia)” (Dodds & Hemmings, 2013, p. 1440).

The Anglo-Sphere

The Antarctic Anglosphere consists of four nations. The first three are claimant nations: Great Britain in 1908, New Zealand in 1923 and Australia in 1933, all listed chronologically as first claimants of Antarctic territory. The fourth nation of the Antarctic Anglo-sphere is the United States, a semi-claimant nation. It is of course the hegemon not only in Antarctica, but also in the rest of the world. English is “the common language of Antarctic governance meetings” (Brady, 2013, p. 37). And critics point to “the dominant Western and particularly Anglophone framing that has driven Antarctic and regional governance” (Dodds & Hemmings, 2013, p.1435). But English is the *lingua franca* of the world not just Antarctica. Anglo-Saxon nations are also counted among the richest nations in the world. So their influence in Antarctic is traditionally strong and dominant.

Bi-Polar Nations

There are three bi-Polar nations in Antarctica. One is a claimant nation, Norway. The other two are only semi-claimants, U.S. and Russia. But both are world superpowers. All three of these nations are coastal nations of the Arctic Ocean. They therefore have territorial seas, contiguous zones, exclusive economic zones, continental shelves and extended continental shelves in the Arctic. And these three bi-Polar nations have far more polar experience than uni-Polar nations operating in just one region.

France

France is the only claimant nation having a station outside its own sector and that station is a joint station. Non-claimant nations build and operate their own facilities under their own flags regardless of territorial claims. “Counting 110 current main facilities ... only two ... are joint stations and both involve only two states (Elzinga, 2013, p. 209-210 & 212). The joint French-Italian station, Concordia, is located at Dome C on the Antarctic Plateau in the Australian sector. The joint Chilean-German station, Bernardo O’Higgins, is located at the tip of the Antarctic Peninsula in the sector claimed first by the British, second by the Chileans and third by the Argentines.

Latin Neighbors

Argentina and Chile are both claimants to Antarctic territory, yet their claims overlap each other but also the earlier claim of Great Britain, hence the “ABC dispute”. Chile defends its claim based on “Papal bulls of Pope Alexander VI (1493) and the treaty of Tordesillas (1494), which together divided the unexplored world – including any lands that might be found to the far south – between Spain and Portugal” (Klotz, 1990, p. 9-10). Argentina also defends its claim based on these historic, some would say antiquated, rights. But both nations have somewhat stronger claims based on their proximity to the Antarctic Peninsula. Both Argentina and Chile are much closer to the continent than other nations. And both defend their Antarctic claims based on geologic, as well as geographic contiguity. The tip of South America is connected geologically to the Antarctic Peninsula by the Scotia Arc, a former land-bridge between continents.

Gateway States

There are five Gateway States to the Southern Ocean as shown on the physical map of Antarctica found at the website of Nations Online Project (2016). Listed clockwise from 0° longitude, the Greenwich Meridian, they are: South Africa, Australia, New Zealand, Chile and Argentina. All are Consultative Parties to the Antarctic Treaty, and all are members of CCAMLR and Madrid Protocol.

But South Africa is approximately 4,000 Km. from the continent of Antarctica, the most distant of the five. New Zealand is approximately 3,000 Km. away and Australia is approximately 2500 Km. away. And even the closest states, Chile and Argentina, are approximately 1,000 Km. away from the continent

(Antarctic Geological Drilling, 2016). The narrowest separation between the Gateway States and Antarctica is the Drake Passage. And the tip of South America is connected to the tip of the Antarctic Peninsula by the Scotia Arc of islands. Both Argentina and Chile cite this geographical proximity as a basis for their territorial claims in Antarctica (Beck, 1986, p. 11-12).

Four of the five Gateway Nations are claimants to Antarctic territory (South Africa is not). But the suspension of claims under the Antarctic Treaty inhibits them from exercising their coastal authority over territorial seas, contiguous zones, exclusive economic zones, continental shelves and extended continental shelves (United Nations, 2016b). And, since there are high seas between Antarctica and all five Gateway States (including Argentina and Chile), their off-shore authority with regard to Antarctica is as limited under the United Nations Convention on the Law of the Sea (UNCLOS) and Antarctic Treaty.

Other Nations

Developing nations have long charged developed nations with the “appropriation of global resources” particularly by raising the “Question of Antarctica” in the U.N. General Assembly (Hemmings, 2012, p. 86). But few developing nations have demonstrated any interest in the continent beyond rhetorical interest. Very few of these nations have conducted any research and only a few are parties to the Antarctic Treaty (Secretariat to the Antarctic Treaty, 2016d).

“The rise of Asia, especially China and India ... is ... finding its due place ... in the governance ... of Antarctica” (Chaturvedi, 2013, p.51). India became a Consultative Party to the Antarctic Treaty in 1983 and China in 1985. Neither have signed the CCAS (to protect seals) but both are members of CCAMLR and both have signed the Madrid Protocol (Secretariat of the Antarctic Treaty, 2016d). China has already given Chinese names to over 350 places around the continent. And its Antarctic spending has grown from \$20 million to \$55 million in a decade (*Economist*, 2015). “If China builds all five planned stations it will have more than either Great Britain or Australia, an only one fewer than America” (*Economist*, 2013).

“The objective of demilitarizing Antarctica and its adjacent waters is achieved by the Antarctic Treaty ... (but) may be threatened ... by strategic competition within a multipolar world, particularly between China and India as rising Powers ... new regional sea Powers ... (and) nuclear states” (Bateman, 2012, p. 116 & 120). “Rising powers such as China, India and South Korea are rapidly expanding their Antarctic budgets and research programs” (Brady, 2013, p. 6). South Korea “has strong ... interests in Antarctica, as well as the Arctic” and since it is “poor in natural resources” much of its “research is focused on locating economically exploitable resources” (Brady & Kim, 2013, p.75, 82 & 85). South Korea has been a Consultative Party to the Antarctic Treaty since 1989. Although it has not signed the CCAS, it is a member of CCAMLR and it has signed the Madrid Protocol.

Japan is an economically stagnant Power, but a Power nonetheless. And it has been a Consultative Party longer than any other Asian nation (if the USSR, now Russian Federation, is considered separately as Eurasian). Japan was one of the original signatories to the Antarctic Treaty in 1961. And since then it has signed the CCAS, become a member of CCAMLR, and signed the Madrid Protocol. But Japan’s “scientific whaling” in the Southern Ocean has become increasingly controversial. Australia has repeatedly questioned the legitimacy of the Japanese research program with regard to the International Convention for the Regulation of Whaling. And, in 2008, the Federal Court of Australia found that whales were in fact taken by the Japanese in the Australian Whale Sanctuary. But this ruling has not deterred Japan’s whaling activities in the region (Rothwell, Scott & Hemmings, 2013, p. 14; Rothwell, 2013, p. 46-47 & 148).

China, India, South Korea, Japan and Malaysia belong to the Asian Forum for Polar Sciences and its scope includes Antarctica (Elzinga, 2013, p. 203). AFoPs was formed in 2004 (Asian Forum for Polar Sciences, 2016). And it is becoming increasingly clear that Asian nations are interested in the Antarctic in general and the Southern Ocean in particular.

Antarctica may be called the white continent since it is mostly covered by ice and snow and/or since it is mostly claimed by Europeans. But sometimes the snow “has a pink, red, orange, green, yellow, or grey cast, caused by snow algae” (Rubin, 2008, p. 269). And sometimes there are lots of people in and around Antarctica besides Europeans. There are increasing numbers of staff members, scientists and tourists, as well as increasing numbers of business people engaged in prospecting for minerals and fishing. And they come from all parts of the world.

Conclusion

NGOs and ATS

“Non-state actors such as the Antarctic and Southern Ocean Coalition have a long-standing interest and history of intervention in Antarctic diplomacy and politics” (Chaturvedi, 2012, p. 259). The ASOC was founded in 1978 and granted observer status within the Antarctic Treaty System in 1991. It lobbied against CRAMRA and on behalf of the Madrid Protocol to prevent any commercial drilling or mining (Antarctic and Southern Ocean Coalition, 2016b). Up to 26 NGOs from 10 nations were dues-paying members as of 2013 (Antarctic and Southern Ocean Coalition, 2016a).

The Council of Managers of National Antarctic Programs was founded in 1988. All 29 Consultative Parties to the Antarctic Treaty are members plus one non-Consultative Party, Belarus. The purpose of COMNAP is to promote best practices with respect to scientific research. And their website provides public access to information on Antarctic facilities operated by its members (Council of Managers of National Antarctic Programs, 2016a).

The Antarctic Ocean Alliance is a more recent coalition of environmental and conservation organizations. The AOA was founded in 2010. Its sixteen “partner organizations” include the ASOC (Antarctic Ocean Alliance, 2016). And, generally speaking, all private organizations interested in Antarctica have enjoyed “much more liberal access to the Consultative Meetings” since the Rules of Procedure were revised in 1992 (Herr, 1996a, p. 108).

Most non-governmental organizations (NGOs) focus on the conservation of resources whereas most national and multinational corporations (MNCs) focus on the development of resources. Most countries also focus in one direction or the other, on either conservation or development. And they tend to advocate one policy or the other in Antarctica, whether or not they have signed the Antarctic Treaty. But some of the countries that focus on development are more interested in distribution than production.

G-77 and ATS

Not surprisingly, the Least-Developed Nations (LDNs) generally focus on distribution whereas Developed Nations generally focus on production. The LDNs are organized in the U.N. as the Group of 77 (G-77). And the G-77 countries typically make demands for any share of others’ profits, while ignoring others’ losses. In short, they are advocates of a global welfare state.

G-77 countries claim that the Outer-Space, upper-atmosphere, high seas and Antarctica are all *Global Commons* (Beck, 1986, p. 278), which are internationalized areas for global public and not private use. Thus, they insist on mandatory regulation by the United Nations as opposed to individual nations. This is convenient for the G-77 since it now counts 134 members, a majority of the U.N.’s 193 members (Group of 77, 2016; United Nations, 2016e).

Socialists, the so-called workers of the world, are superficially aligned with environmentalists, the so-called the tree huggers of the world. This is true even with regard to Polar politics despite the ugly facts of the matter. There is no proletariat and there are no forests on the Antarctic continent or in the Arctic Ocean. Red remains green at least on the surface, but differences appear just below it regardless of location.

Green groups typically focus not only on the curtailment of production (supply), but also the curtailment of distribution (demand), due to negative externalities such as pollution. They advocate controls involving considerable costs to others but little cost to themselves. And, since both water and air pollution travel indiscriminately across national borders, they maintain that international regulation of the global commons is required.

But global regulation and taxation cannot solve the problems of poverty and pollution. The tragedy of communism and the tragedy of the commons can only be avoided by recognizing private property and national sovereignty. Self-interest and national interest are conducive to both competition and stewardship not simply one or the other. And cultural and/or regional cooperation where interests are aligned makes more sense than multi-cultural and global government where interests are diverse.

There is a widely held belief that the sun revolves around the Earth. There is another widely held belief that a trade-off exists between economic and environmental performance. These theories are logical but untrue, i.e., unsupported by the evidence. For example, non-Muslim nations do better than Muslim nations with respect to the environment and the economy. Likewise, non-African nations do better than African nations with respect to the economy and the environment. And the G-77 is representative of both Muslim and African nations.

A better economy and a better environment go hand in hand. Among all nations, the correlation between economic and environmental performance is positive .528. The real trade-off is between human fertility on the one hand and a better economy and environment on the other. The correlation between fertility and economic performance is negative .431, as is the correlation between fertility and environmental performance as negative .817. Muslim and African countries have very high fertility rates than non-Muslim and non-African countries: the Muslim mean is 3.96 compared to a non-Muslim mean of 2.65, while the African mean is 4.76 compared to a non-African mean of 2.33 (Craig, 2011, p.50 & 46).

The Malthusian dilemma of the Twenty-First Century is the same as it was in the Eighteenth Century: population tends to increase in a geometric ratio whereas subsistence tends to increase in an arithmetic ratio (Malthus, 1798). Even if it is politically incorrect to speak of over-population in Malthusian terms, “resource-related considerations are clearly among the factors that underpin all states’ interests in the Antarctic continent” (Foster, 2012, p. 154).

This is true not only for Developing nations with rapidly growing populations. It is also true for developing nations with rapidly growing economies including most prominently Brazil, China and India. Developing nations of both types are having a profound and negative impact on environmental pollution and climate change (Chaturvedi, 2012, p. 263).

Antarctic nations should flatly reject the Common Heritage of Mankind and firmly resist rent-seeking by any nation or group of nations. And they should resist any expansion of the International Seabed Authority (ISA) from the ocean to the land (International Seabed Authority, 2016b). “It is clear that the Consultative parties do not recognize Antarctica as Common Heritage of Mankind” (Bastmeijer, 2011, p. 3). Countries and groups of countries that cannot manage their own affairs properly should not be permitted to manage the affairs of others. And their governments should not be rewarded for economic and/or environmental incompetence.

In 1982, President Reagan forcefully thwarted the redistribution of wealth from the United States to the G-77: although he supported most of the U.N. Convention on the Law of the Sea with respect to freedom of navigation, he refused to sign the UNCLOS due to its skewed provisions in regards to deep seabed mining (Heritage Foundation, 2016).

The G-77 countries want the “international seabed to be as large as possible ... (since) coastal states are required to make monetary payments or payments in kind through the International Seabed Authority (ISA) for distribution to all state parties to the UNLOS Convention with respect to the exploitation of non-living seabed resources” (Riddell-Dixon, 2011, p. 377).

The 12 original signatories to the Antarctic Treaty should flatly reject a World Park and firmly resist the de-growth stance of green groups. And they should specifically resist policies advocated by groups like the Worldwatch Institute that would punish all industrialized Western countries for doing well economically and environmentally vs. rewarding Third World countries who do poorly (Assadourian, 2012).

There are no national parks in Antarctica since national claims are held in abeyance by the Antarctic Treaty. But there are Antarctic Specially Protected Areas that no one may enter without a permit (Rubin, 2008, p.99). At present, there are no permanent residents on the continent (*Discovering Antarctica*, 2015). And animals there are still unafraid of people (Rubin, 2008, p.15 & 19). Some complain that biodiversity is not sufficiently protected since “only” 55 of 73 ASPAs are in ice-free areas (Shaw et al., 2014, p.3). But the Antarctic region including the surrounding Southern Ocean remains one of the world’s last frontiers (National Research Council, 2011, p.1). Unfortunately, it is no longer isolated from the global political mainstream (Dodds, 2010, p. 110).

“Developments in Treaty cooperation have been substantially affected by relations to non-members” (Stokke & Vidas, 1996, p. 1). “Nations outside the Treaty are not bound by its provisions” (Chown et al., 2012, p. 158). And the wave of accessions to the Antarctic Treaty has been challenging as well (Vidas, 1996a, p. 56-57). Whereas there were 12 Consultative Parties to the Treaty in 1959, there are 29 states today. And now there are also 24 non-Consultative Parties invited to attend the Consultative Meetings (Secretariat of Antarctic Treaty, 2016d).

The growth in membership increases the potential for a break-down in the consensus that characterizes the Antarctic Treaty System (Klotz, 1990, p.114). And it is possible that some of the new parties to the Antarctic Treaty intend to destroy the club from within (Beck, 1986, p.199). What will happen if the Antarctic Treaty System “breaks-down, or its fundamentals are attacked” (Haward, 2012, p.236). At present, the ATS “is confronted with both a complex, crowded, and compelling agenda ... and a marked decline in its overall capacity to effectively deliberate and deliver legally binding measures ... a situation insightfully termed as ‘hollowing of Antarctic governance’” (Chaturvedi, 2012, p.257). And any “regulation of Antarctic activities by external regimes or organizations creates the risk that the ATS is more generally undermined” (Scott, 2012, p. 296-297).

Both socialists and capitalists are critical of the ATS. But whereas the former support more regulation and taxation, the latter support more freedom. This is true with respect to both the environment and the economy. Environmental NGOs and the less developed countries represented by the G-77 typically favor a wider and deeper approach to government. MNCs and the more developed countries represented by the OECD typically favor a narrower and shallower approach (Organization for Economic Cooperation & Development, 2016).

The Antarctic Treaty System operates in a capitalist laissez faire fashion on the assumption that activities are permitted unless prohibited (Herr, 1996b, p. 207 & 223) and not in a socialist command and control fashion on the assumption that activities are prohibited unless permitted. The ATS is “a framework for a limited system of administration in Antarctic affairs” (Klotz, 1990, p. 36).

But the ATS “breaks with the fixity of legal concepts, in going beyond the freedom-sovereignty-commons trichotomy” (Vidas, 1996b, p. 71). Its resource regimes make no distinction between claimed and unclaimed sectors nor between territorial waters and high seas. It is a regional system as opposed to national or global. And “there is a very obvious difficulty ... in the belief of seven claimants plus the semi-claimants of the United States and Russia that they have ... sovereignty rights” (Hemmings, 2014, p.7).

Both CAMMLR and Madrid Protocol apply all the way to the outer-limit of the Antarctic Convergence that wanders between 60° S and 50° S. This is beyond the boundary of the Antarctic Treaty at 60° S and well beyond the Arctic Circle at 66°33' S. “Competing security concerns ... may ... become seeds of conflict ... and unresolved territorial claims may ... threaten Antarctic regime security” (Nasu,

2012, p. 32 & 29). And “it may be expected that conflicts will arise between ATS states and states outside the ATS” (Bastmeijer, 2011, p. 37).

Many outsider critics view the Antarctic Treaty “as an act of imperialism”, albeit one that is acknowledged as post-colonial, due to the “distinction between formal and effective sovereignty” (Scott, 2011). But “sovereign neutrality” is fundamental to the operation of the Antarctic Treaty System. The concept is deliberately ambiguous to accommodate the divergent positions of states that are parties to the Treaty. The Antarctic Treaty should not however “be interpreted as a renunciation of previously asserted rights” (Triggs, 2011, p. 43).

Due to growing confusion and diminishing respect, it may be time to abandon the Treaty altogether. It may be time to reassert national sovereignty and the original claims to Antarctic territory by Great Britain in 1908, New Zealand in 1923, France in 1924, Australia in 1933 and Norway in 1939. And it may be time for Norway to specify the extent of its claim in terms of latitude (Joyner, 1998, p. 17). It may also be time to resolve the disputed claims by Chile in 1940 and Argentina in 1943.

And finally it may be time for the United States and Russia to officially renounce to their old, unachievable claims to the whole of Antarctica and simply split the unclaimed portion of the continent. Long ago, Chilean officials wisely cautioned that any new claims “beyond the unclaimed sector from 90° W to 150° W would provoke animosity rather than cooperation” (Moore, 2001, p. 736).

The unclaimed sector is 16.66% (one-sixth) of the fifth largest continent in the world (Antarctic Geological Drilling, 2016). Half of that is 8.33% (one-twelfth) or 1,166,200 Km.² out of 14 million Km.² That land area is almost as large as the 1,477,953 Km.² of Alaska that Russia sold to the United States in 1867 (U.S. Geological Survey, 2016).

And now that U.S. President Barack Obama (Democrat) has been replaced by real-estate tycoon President Donald Trump (Republican), it may be easier to make the “Deal of the Century” with Russia’s President Vladimir Putin. But opponents of Trump and/or Putin have ridiculed any such bilateral deal. Present-day naysayers even called any reference to this possibility as “Tillerson’s Folly”, after Trump’s first U.S. Secretary of State, just as latter-day naysayers called the old one as “Seward’s Folly” (U.S. Office of the Historian, 2016).

Meanwhile, in the absence of traditional territorial sovereignty, economic development remains compromised in Antarctica, due to the strict regulation of prospecting and production. And “in the absence of traditional coastal state jurisdiction ... environment security ... remains compromised” in the Southern Ocean due to the lax regulation of pollution (Rothwell, 2012b, p. 145).

Reassertion of the original Antarctic claims would most certainly entail dissolution of the existing Antarctic Treaty (Joyner, 2002, p. 47). But that could quite possibly lead to the creation of a Southern Ocean Treaty Organization (SOTO) along the lines of the North Atlantic Treaty Organization (NATO). The original NATO Alliance with its limited 12 Founding Members (compared to 28 Allies now) provides a good model. NATO’s “purpose is to safeguard the freedom and security of its members through political and military means” (North Atlantic Treaty Organization, 2016a & 2016b). Such an alliance would facilitate regional competition and cooperation on both economic and environmental matters.

Such a regional alliance would be less ambitious but more practical than a “South Atlantic Treaty Organization” (SATO) (Hurrell, 1983) with distant and diverse members. It would also eliminate the contentious categories of membership under the existing Antarctic Treaty. The procedure for withdrawal from the Antarctic Treaty is outlined in Article XII (2) (National Science Foundation, 2016).

Regional coordination by the nine Antarctic claimants would be the best way to promote economic development and to insure environmental protection in the short-term. In the long run, “deconstruction of the nation-state” and “disaggregation of the mixed political economy” would be even better (Craig, 2010b, p. 414).

Government power could eventually shift upwards to global organizations as socialism is employed to alleviate the pollution of water and air. And market power could eventually shift downwards to local governments as capitalism is employed to alleviate the poverty of individuals. But transition to this New World Order (NWO) could take quite some time. In the meantime, it is up to national governments to claim complete sovereignty over their southernmost territories, territorial seas, contiguous zones, exclusive economic zones, continental shelves, outer continental shelves and contiguous high seas. And it is also up to claimant nations to collaborate with one another on a regional basis. Regional economic opportunities would stimulate competitive and cooperative economic enterprise including bioprospecting, tourism, fishing, drilling, and mining. And regional environmental threats would stimulate competitive and cooperative environmental stewardship (Craig, 2016).

Claims by the Antarctic-9 mirror those by the Arctic-5. The Southern group consists of Argentina, Australia, Chile, France, New Zealand, Norway, Russia, U.K. and U.S.A., while the Northern group consists of Canada, Denmark (through its autonomous Greenland province), Norway, Russia and U.S.A. (through Alaska). The Antarctic-9 and the Arctic-5 have the proximate incentive, as well as the immediate ability to simultaneously exploit and protect the Polar regions. They also have an opportunity to develop best practices that would serve as good examples in other parts of the world by formulating new Antarctic and Arctic agreements that involve not only deregulated and untaxed trade, but also regulated and taxed pollution.

These 14 nations could easily find common cause in resisting the claims of other nations, environmental interest groups and international organizations such as the United Nations. China in particular “looms as a major power with global interests ... (and) is extremely interested in the resources of both Antarctica and the Arctic” (Bateman, 2012, p.119 & 123). “Like previous geographies of the imperial and Cold War eras, new global geographies are likely to emerge (Dean, Naylor, Turchetti & Siegert, 2008, p.595), especially now that “[t]he Cold War is over” (Collis, 2010, p.394), while the current emerging New Cold War between the U.S. and Russia may become even more polarizing than the Old Cold War. Instead of pitting the U.S. vs. the USSR as in the old Cold War, the emerging new Cold War between the U.S. and Russia might pit also their Polar allies against a many other nations, including China and India. Yet even a new Cold War need not spark bloody conflict since economic development and environmental protection of the Polar regions by their Polar nations would be beneficial to Mankind in general.

It is important to remember that the U.S. and post-Soviet Russia (to a degree) are still SuperPowers. Cooperation between them remains essential to the peace and stability of the world. Like Norway, they have a national interest to protect in both the Antarctic and Arctic. And, since the seasons are reversed in the Southern and Northern Hemispheres, bi-Polar nations are able to use the same ships and planes in both regions by moving them back and forth to take advantage of longer days and warmer weather year ‘round (Belanger, 2006, p.18).

The languages of both SuperPowers are already common in the region. This is true even if English takes precedence over Russian not only due to its acceptance as global *lingua franca*, but also due to the Polar involvement of Commonwealth nations: Australia, New Zealand and Great Britain in the Antarctic, and Canada and U.S. in the Arctic. Despite Russia being the largest country in the world in terms of area, it is America and the other Anglo-Saxon countries that are among the richest. And this wealth combined with the ubiquity of the English language may push one day Russia to join either a Southern Ocean Treaty Organization or an Arctic Ocean Treaty Organization or even a North-South Polar Treaty Organization.

The *Common Heritage of Mankind* involves a grand paradox. Common space simultaneously belongs to everyone (*res communis omnium*) and to nobody (*res nullius*) (Peterson, 1998, p. 36; Joyner, 1998, p.33). These antithetical policies inevitably result in the tragedy of communism (economic depression) and the tragedy of the *Commons* (environmental devastation). However, in International Law and diplomacy, “the state remains the basic unit of the modern international order” (Herr, 1996a, p.93).

“National interest has always superseded global interest ... (and) it is in the national interest of every coastal state to foster economic development and to insure environmental protection off its shores”, as well as on its shores (Craig, 2010a, p. 25).

The sovereignty of coastal nations on the southern shores of the Southern Ocean is as important as the sovereignty of coastal nations on the southern shores of the Arctic Ocean. And the sovereignty of Polar nations is as important as the sovereignty of nations anywhere else in the world. Anything less would constitute a legal double-standard violating the principal of equal protection under the law.

The Antarctic is a frozen continent surrounded by an ocean. And the Southern coastal nations there have adopted a more legalistic hard-law approach in the form of the Antarctic Treaty. The Arctic instead is a frozen ocean surrounded by vast continents. And those Northern coastal nations there have adopted a less legalistic soft-law approach in the form of an Arctic Council (Koivurova, 2005, p. 213-214). But regardless of the approach, each coastal nation is pursuing what it perceives to be best in its own national interest.

The Realist School of International Relations Theories is now dominant since the Post-Cold War (1990s-current) and it is time for an “international discussion in pursuit of Antarctic policies that will embrace both human and environmental concerns” (Foster, 2012, p. 155). But this political discussion should be confined to nations with legitimate claims to Antarctic territory based on original exploration and occupation of the Southern Continent.

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Be Careful and Watch What You Say: Brailey Odham and the Politics of Race in Mid-Twentieth Century Florida Gubernatorial Elections

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ABSTRACT: Since the 1950s Florida underwent major social-economic and political changes between the competing clash of new economic development pressures vs. old White reactionary resistance to voting and civil rights for local African-Americans, who had been marred by a long history of discrimination in the nation and state. This essay examines the political life of Brailey Odham who ran for Governor of Florida and who, despite a Southern cultural background, evolved in his support of Black civil rights. Odham can be considered a "progressive-populist" and the first "New South" politicians who fought to eliminate the "Old South" rural and racist domination of Florida state politics, to democratize the political system and to increase public participation among African-Americans.

Introduction

Growth and change came fast to mid-Twentieth Century Florida. The population was increasing and where people lived in the state was changing. The economy was expanding and economic activity was becoming more diverse. Social problems were multiplying and demanding greater attention. In other words, a clash of the old and the new was in the making as the seeds of contemporary Florida, having laid dormant for a number of years, began to sprout. State politics could not help but be affected by what was unfolding.

Florida experienced a "crisis of hegemony" in the 1950s as a more modern state appeared ready to shake the traditional foundations of rural domination. On one hand, pork-choppers blocked reapportionment attempts, scuttled urban-oriented policies and sent a disproportionate share of state monies to their constituents. Additionally, some White Floridians began to prepare for a so-called "massive resistance" to the civil rights movement. On the other hand, business-progressives believed that the long-awaited moment of "take-off" had arrived, whereby investment capital, an improved labor force, and consumer purchasing combined to produce development. Concurrently, efforts to register African-American voters grew as challenges to Jim Crow segregation began in earnest. Circumstances and incidents such as George Smathers' "Red" baiting and race-baiting U.S. Senate campaign against liberal Claude Pepper (1950), a U.S. Senate crime commission investigation into racketeering in Florida (1951), the fire-bombing murders of state National Association for the Advancement of Colored People (NAACP) leaders Harry T. and Harriet Moore (1951), the Florida Gubernatorial candidacy of Klansman Bill Hendrix (1952) and State Senate President Charley Johns' rural pork-chopping and political witch-hunting tenure as acting-Governor (1953-1954), all indicated that tension and conflict would accompany any social and economic changes.

A Way of Life

For much of the Twentieth Century, writers of Florida politics generally agreed with V. O. Key's mid-century conclusion that the state's "comparatively mild" attitude on the race question resulted in

"relative unconcern about the Negro."¹ Attributed in part to the small proportion of African-Americans making-up Florida's population, this attitude explained why the state ostensibly experienced fewer acts of White-racist terrorism and exhibited weaker resistance to efforts aimed at registering Blacks to vote. Compared to the wider "Old South", racial moderation was cited as a feature distinguishing Florida from its Southern neighbors. Scholarly consensus about such matters *notwithstanding*, the state had been among the first to pass "Black Codes" after the U.S. Civil War (1861-1865) codifying the secondary and subjugated status of Black citizens, despite their freedom from the bondage of slavery or their official status as equal citizens under federal laws. The Ku Klux Klan (K.K.K.) spread intimidation and violence through Black communities in the late-Nineteenth Century, including in Florida. As lynching reinforced White control and domination, Florida experienced more lynching *per capita* than Alabama and Mississippi between 1900 and 1930. Meanwhile, the state had begun excluding African-Americans from political participation after the state legislature passed poll tax and multiple-ballot laws and the state's Democratic Party prohibited Blacks from voting in its primary elections.

Black Floridians comprised a larger portion of the state's population at the time Jim Crow segregation was introduced, particularly in the "Black Belt" counties of the north where they outnumbered Whites. It was reinforced during the early-Twentieth Century, that partially democratized state politics for Whites. Thus, the old post-Civil War racial segregation policies were re-institutionalized before the modern period of rapid economic growth began in the 1900s. Through both custom and law, the races in Florida lived separately; segregation in Florida included laws regulating the criminal justice system, craft apprenticeships, labor contracts, public education and public transportation. Meanwhile, principally-White migrants to the state, rarely settling in rural areas, could find themselves unaffected by the inequities of the social system because they were not as likely to be in direct competition with Blacks for social and economic rewards.

Florida abolished the poll tax in 1937, not as an indication that bigotry was softening, but because state legislators were concerned that opposition interest groups could purchase poll tax receipts in efforts to defeat them. Several legislators proposed re-establishing a "White primary" in the state after the U.S. Supreme Court ruled in *Smith v. Alright* (1944) that the practice was unconstitutional. If racial scapegoating was more common earlier in the century, state-wide politicians continued to subscribe to segregation and discrimination at mid-century. While several Florida Governors had gone on record against lynching, none took any action state-wide until Fuller Warren (1949-1953) led a successful fight to "unmask" the K.K.K. in 1951. Warren also vetoed an appropriation measure that would have eliminated public funding to state colleges and universities in the event of desegregated higher education on grounds that the legislation would damage Florida's reputation in the nation. Ironically, Warren was a former-member of the K.K.K.; yet he was also the first governor in the state's history to meet with African-American political leaders in the executive mansion in Tallahassee. Led by state NACCP Executive Director Harry Moore, the delegation and the Governor discussed police brutality, protection of Black voters, job opportunities, Black representation on state commissions and the operation of all-Black Florida A&M College. As the Pepper-Smathers campaign had revealed, however, electoral race baiting had neither disappeared in Florida nor become an obsolete strategy for success.

¹ V. O. Key, Jr., *Southern Politics in State and Nation* (New York: Knopf, 1949), p.85. For analyses of Florida concurring with Key on this matter, see H. D. Price, *The Negro and Southern Politics* (Westport: Greenwood Publishers, 1957); David Colburn & Richard Scher, *Florida's Gubernatorial Politics in the Twentieth Century* (Tallahassee: Florida State University Press, 1980); James Button, "Blacks," in Manning J. Dauer, ed., *Florida's Politics and Government*, 2nd ed. (Gainesville: University of Florida Press, 1984): p.286-293. Correctives to the Key thesis include David Colburn & Lance DeHaven-Smith, *Government in the Sunshine State: Florida Since Statehood* (Gainesville: University of Florida Press, 1999); Irwin D.S. Winsboro, ed., *Old South, New South, or Down South: Florida and the Modern Civil Rights Movement* (Morgantown: University of West Virginia Press, 2009); Marvin Dunn, *The Beast in Florida: A History of Anti-Black Violence* (Gainesville: University of Florida Press, 2013).

Registration of Black voters increased in the years after the poll tax and the White primary were ended; in fact, a higher percentage of African-Americans were registered and voted than in any other Southern state. Numbering over 115,000 in 1950, the percentage of Black registrants (slightly more than 30% of those eligible), was still less than half that of their White counterparts.² Florida's geographically dispersed Black population and the decentralized character of the state's politics converged to limit effective political organizing. Most gubernatorial candidates avoided invoking racial issues and none actively sought African-American votes. Rather, they met privately with Black political leaders who attempted to line-up Black voters in their particular communities and towns. Therefore, Black votes were often absorbed into the existing local power structure. In any event, the lack of attention paid by candidates to African-American concerns often meant many fewer Black votes cast for the governor race than for Presidential elections in the years when both offices were contested.

Coming to Terms

J. Brailey Odham (1919-1996) was twice a candidate for Governor of Florida, in 1952 and 1954. Odham first attracted public attention in 1947 when, as a freshman member of the Florida House of Representatives from Seminole County, he alleged that a powerful senior legislator had offered him money to vote against a so-called "bookie bill" that would have prevented telephone and telegraph companies from leasing transmission wires for the purpose of sending gambling information. He had grown up in Sanford (near Orlando) and went to college in Louisiana on an athletic scholarship, graduating with degrees in History and Business Administration. Following a tour-of-duty in the U.S. Navy during World War II, he returned home to Central Florida where, nourished by a sense of "social gospel" Christianity, Odham threw himself into a variety of community activities. No one in his family had ever been involved in politics, but he decided to run for state legislature because he "wanted to make a contribution to public service."³

The youngest member, at age twenty-seven, of the state legislature at the time, Odham was among a group of first-termers, many of whom were World War II veterans standing for "good government." Lacking in political experience, credentials and connections, he nevertheless distinguished himself in committee work and day-to-day activities of the assembly. Politically reformist and fiscally responsible, Odham quickly developed a reputation for independent thought and action. Believed to be high-minded and sincere, he was neither suspected of having ulterior motives for the charge of corruption he leveled nor was he thought to be seeking personal publicity. As one newspaper editorial suggested, Odham's "only interest" was "constructive public service."⁴

Brailey Odham's stand against graft made quite an impression even though the individual that he accused was found innocent of bribery in a jury trial. Neither his youth nor his political greenness prevented observers and pundits in the state from mentioning him as a possible candidate for either Congress or Governor. When Odham, an oil distributor and automobile dealer in his hometown of Sanford at the time (he later became a successful home builder in Orlando), stood for a second term in the state House, voters returned him to office. Having selected him as one of the three best first-termers in 1947, the Tallahassee press corps named him one of the ten best overall members of the 1949 legislative session with capital reporters nominating him for "most valuable legislator" as well. Odham's opposition to working with the Speaker-elect for the 1951 state legislative session, a man whom he said "told me in 1947 that he had been offered a bribe and then lost his memory," led him to decide against running for a third term.⁵

² For a discussion of efforts to extend Black voting during the period under study, see Elston E. Roady, "The Expansion of Negro Suffrage in Florida, 1940-1957" in *Journal of Negro Education*, 26 (1957): p.297-306.

³ Interview with Brailey Odham (5 February 1994).

⁴ *Ft. Myers Press News* (19 May 1947). For a discussion and analysis of the "bookie bill" scandal, see the author's "\$500 and a Case of Scotch: the 1947 Florida Legislative Bribery Scandal" in *Selected Annual Proceedings of the Florida Conference of Historians* (12 February 2005): p.67-77.

⁵ Interview with Brailey Odham (26 March 1994).

Politically, Brailey Odham could rightly have been called a New South politician. He was committed to both free-market economy and to using government to check the excesses of industry and commerce. In this sense, he was a Progressive. As a businessman-politician, he supported policies that would curtail the corrupting practices of entrenched élites and prevent powerful economic interests from destroying their small competitors. Thus, he was a populist. Arguably the first state-wide politician to enter segregated Black communities and campaign for office, his populism was not that of the "Old South". In fact, Odham sought new directions for Florida that would eliminate the rural and racist domination of the state's politics. He can, perhaps, be best characterized as a "progressive-populist" who believed in democratizing the political system by opening it up to increased public participation. His campaigns were unique and forthright and his message was consistent: save the state from the "fat cats" and the "pork choppers" and place control in the hands of the people.

The Post-War Period

For African-Americans, the Florida to which Black veterans returned home after World War II was little different than it had been at the turn of the Twentieth Century. They remained vulnerable to various types of degradation, humiliation and intimidation by Whites. As Odham recalled four decades later:

Growing up, segregation was a way of life. Blacks and Whites were not even supposed to sit together. You could have Blacks clean your house, they could cook your food, change your baby's diapers and make your bed, but you didn't eat with them. My mother taught me that I wasn't to call our Black maid a lady because she was not considered good enough. To us Whites raised as children in that system, we didn't understand the offense it was to Blacks to board a bus and have to sit isolated in the back.⁶

NAACP attempts to register Black voters in the mid-1940s signaled the initial stirrings of the civil rights movement, but Jim Crow segregation insured that economic and educational opportunities remained limited and unequal. White employers generally had negative attitudes towards Black workers and White customers frequently complained to White business-owners that they objected to being served by Black employees. Some Whites would not frequent establishments that hired Blacks. Odham found himself in a potentially difficult situation not long after returning to Sanford following the war. As he recalled:

A Black man named Boyd drove a gas truck for the family business during WW 2. He had been an employee when my dad took over the distributorship in 1926. During the Depression, there were two employees and only one job. My father let Boyd go because his customers demanded it. He continued to do odd jobs for my dad and often came to our house. He was hired back during the war because of the labor shortage. I took over the business after I came back from the war and I went to my dealers and told them that if Boyd was satisfactory during the war, he is satisfactory now and for the future. If Whites line up from Sanford to Orlando, I will not fire him.⁷

In education, wide differences existed over per pupil expenditures between White and Black students, in the training and salaries of White and Black teachers, and in the facilities of White and Black schools. Odham's concern for an equitable education was genuine, in part, because he taught briefly during the time between his college graduation and when he entered the armed forces. As a state legislator, he supported provisions in the 1947 Minimum Foundation Program (MFP) intended to reduce the discrimination in Florida's public education. Odham was also moved to lead an unsuccessful fight to pass an anti-K.K.K. bill in the 1949 state legislature following a racist incident in his hometown of Sanford. As he explained it, "the wife of a man who I had sold a car would sit on the porch and eat with her Black maid. The Klan burned a cross in their yard."⁸

⁶ Interviews with Brailey Odham, March 5, 1994 & May 14, 1994.

⁷ Interview with Brailey Odham, March 5, 1994.

⁸ Interview with Brailey Odham, May 14, 1994.

Brailey Odham was still a segregationist when he entered the 1952 race for Florida Governor, but an incident from 1949 provides a glimpse at where he was headed on the issue and reveals how he was already ahead of most White politicians in the state at the time. African-American Virgil Hawkins from Leesburg in Central Florida had applied to the all-White law school at the University of Florida in Gainesville. Odham was in attendance at a special meeting of the State Cabinet convened to discuss the matter and he remembered that:

the political leaders were in mortal fear that the entire educational system would be destroyed if one Black student showed up on the campus of the University of Florida to attend its graduate law school. The majority of those who spoke kept saying that we had a regional higher education system because there was some agreement with the law school at historically Black Howard University in Washington, D.C. Finally, I stood up and said that it was amazing to see grown men attempting to justify their position on grounds that Black entry into the law school hadn't happened before. Well, it was long past due that it happened.⁹

Odham's personal view was that Hawkins' admission was appropriate under the "separate but equal" doctrine because Florida did not operate a law school for Black students. Interestingly, most of the legal work of the NAACP was based on the concept of enforcing the supposed-tenets of this doctrine until Thurgood Marshall initiated a transition to "legalistic integrationism" in the 1930s.¹⁰ Additionally, the U.S. Supreme Court used similar logic in the 1949 *Sweatt v. Painter* ruling that established non-discriminatory treatment of Blacks in graduate and professional education.

The Political Setting

Early-Twentieth Century Florida Governors were unabashedly racist; among them, Napoleon Bonaparte Broward (1905-1909) proposed removal and relocation of African-Americans; Park Trammel (1913-1917) disregarded over 20 lynchings during his term-of-office; and Sidney Catts (1917-1921) both ran for office and governed as a White supremacist. Lest anyone assume that things changed much in the ensuing decades, successors such as David Sholtz (1933-1937), Spessard Holland (1941-1945) and Millard Caldwell (1945-1949) either failed to respond to lynch mob actions or dragged their heels in convening and carrying out investigations of the same during their terms-of-office. As for Fred Cone (1937-1941), he decried the Florida A&M College president's \$4,000 yearly salary, asserting that "there's no Negro on earth worth" that much money.¹¹

The 1948 Florida gubernatorial race witnessed entry of the Progressive Voter League (PVL) into the fray. Founded by state NAACP Executive Director Harry Moore and others following the U.S. Supreme Court's 1944 *Smith v. Allright* decision overturning "White primaries," the PVL was intentionally a more political organization than the NAACP. Its nascent existence notwithstanding, PVL was considered the only major statewide African-American political group at that time. In contrast to the NAACP whose charter prohibited partisan activities, PVL went beyond Black voter registration to endorsing political candidates for office. Towards that end, the organization mailed questionnaires to those seeking office, querying them about their position on civil rights issues. The League then held campaign rallies for those it favored. In the process, PVL sought to create an African-American voting bloc that could secure concessions and responsiveness from candidates elected to office.

⁹ Interviews with Brailey Odham, March 5, 1994 & April 23, 1994.

¹⁰ Herbert H. Haines, *Black Radicals and the Civil Rights Mainstream, 1954-1970* (Knoxville: University of Tennessee Press, 1988): p.19 & 138. Eventually in 1956, the U.S. Supreme Court ordered Hawkins' immediate admission. He was, however, almost 50 years of age at that point and he never did attend the University of Florida, which admitted its first African-American student in 1958.

¹¹ Thomas R. Hietala, *The Fight of the Century: Jack Johnson, Joe Lewis and the Struggle for Racial Equality* (Armonk: M. E. Sharpe, 2002): p.166.

Despite several incidents of racist violence in the Panhandle during the 1948 campaign, Moore indicated that he was heartened that “the race issue was not raised during the campaign and that the candidates were careful not to offend Negro voters with such trash.”¹² Additionally, Moore was encouraged by the outcome; given Florida’s one-party politics, the Democratic nominee was all but guaranteed to carry the general election. The PVL endorsed Fuller Warren against Dan McCarty as the “lesser of two evils” in the Democratic primary; the former’s victory by 22,000 and a record Black turnout in excess of 80,000 voters led Moore to remark that McCarty would have won had the League endorsed him. Truth be told, however, the PVL’s influence was larger “on paper” than it was “on the ground.”¹³

Running for High Office

Historically speaking, the 1952 Florida election for governor was a rare occasion in which North-South geographical politics played no part; two of the principal candidates – Dan McCarty and Alto Adams – were from the same South Florida town (Ft. Pierce) while the third – Brailey Odham – hailed from the central portion of the state. McCarty was the early front runner and odds-on favorite; he had run a strong second four years prior and many Floridians retained a favorable impression of the one-time state Speaker of the House. He received high marks for common sense and honesty, if not for personality and delivery. Adams, who resigned his position as a Florida Supreme Court Justice to enter the race, received his chief support from elite moneyed interests. The vast majority of veteran politicians, those professional organizers and party activists who worked state-wide campaigns, lined-up variously behind either McCarty or Adams. Unlike 1948, when McCarty had been labeled a conservative and Fuller Warren a liberal, the political alliances the two candidates forged had little hint of the political Left-Right cleavage because both were perceived to be conservative.

Meanwhile, Odham attracted no political “pros” and only a handful of politicians to his camp, and he paid the \$600 filing fee from a volunteer fund of one Dollar contributions raised by his friends and neighbors. He came to rely upon a novel use of radio whereby he fielded questions from callers in a talk-show format, remaining on the air for varying lengths of time, up to 24 hours. Dubbed “talkathons” these broadcasts generated enthusiasm among persons who had never before been involved in politics. And in addition to providing much needed public exposure, the programs financed themselves through numerous small contributions. By most accounts, Odham’s radio-campaign propelled him into a run-off election that he would lose to Dan McCarty.¹⁴

McCarty easily defeated his Republican opponent in the November general election but then died nine months into his term. The Florida Supreme Court ruled that state Senate President Charley Johns would become acting-Governor and that a special election would be held in 1954 to fill McCarty’s unexpired term. That race featured three candidates – Acting Governor and rural conservative “pork chopper” Johns from Starke, State Senator Leroy Collins from Tallahassee and Odham. The latter two were identified with the progressive wing of Florida’s Democratic Party and the two did share some common assumptions: favoring basic reorganization and modernization of state government, advocating social morality and justice, promoting economic development and efficiency, believing in a broad array of legitimate government service responsibilities, and recognizing the need to address urban problems through legislative reapportionment and redistribution of state funds on the basis of population. But Collins was no populist and he was skeptical of certain Odham proposals such as requiring all government meetings be made open to the public. Moreover, the two men were a contrast in styles

¹² Ben Green, *Before His Time: The Untold Story of Harry T. Moore* (New York: Free Press, 1999): p.74.

¹³ Jake C. Miller, “Harry T. Moore’s Campaign for Racial Equality” in *Journal of Black Studies*, 31:2 (November 2000): p.218-219.

¹⁴ For discussion and analysis of Odham’s radio-based campaign strategy, see the author’s “Turn Your Radio On: Brailey Odham’s 1952 ‘Talkathon’ Campaign for Florida Governor” in *The Historian*, 66:4 (December 2004): p.701-729.

with Collins resembling the smooth, skilled and sophisticated politician that political scientists William Havard and Loren Beth called a "Chamber of Commerce" candidate.¹⁵

A New Approach

Prior to the school desegregation case in 1954, gubernatorial candidates in Florida routinely ignored the Black press. While some may have made secret commitments to Black groups, they all feared alienating race-conscious White voters. None wanted the label "pro-Negro" that would accompany an African-American newspaper endorsement. Thus, it was highly unusual when Brailey Odham issued a lengthy public statement during the 1952 gubernatorial campaign replying to questions posed to him by Black newspaper editors in Florida. Remarkably, he sent the statement to both Black and White newspapers throughout the state. Odham openly pledged:

opportunity and justice for every man, woman, and child in Florida without regard to race, creed, or color. The law is for the protection and progress of all citizens and their families. I will not let Negro citizens or anyone else be abused or exploited by the law or by anyone outside the law.¹⁶

He went on to say that full rights of citizenship included equal educational opportunity, the freedom to earn a living and progress in business and industry with the right to be safe in person and property. One of the many injustices that African-Americans were subjected to, was a "fee system" by law enforcement, an issue that Odham first addressed as a State legislator in 1947. In this scheme, police officers and sheriff deputies conducted raids on "juke joints" and other establishments frequented by Blacks, roughed-up and beat people, then jailed them for the purpose of raising money for salaries and expenses. As Odham stated:

every Saturday night, the jails would be filled with Blacks arrested for public drunkenness and disorderly conduct. They would be kept in jail until Monday morning when their employer would find out and go down and post their bail. This was another obligation that Blacks would have to Whites who could then treat them worse and pay them less. Meanwhile, the Elks Club could have all the parties that they wanted.¹⁷

Political Scientist Numan Bartley suggests that lower-income persons, the likely target of these weekly round-ups, were less interested in abstract considerations about "fair treatment" than they were in "White laissez-faire" attitudes toward "impulse freedom."¹⁸ Asserting equity as a goal, however, Odham proposed replacing the "fee system" with a salary scale for all law enforcement and court officers in the state. Still, Odham emphasized that he had no intention of breaking down segregation. On the always-important issue of mixed-race education, he maintained that "school buildings, facilities and instruction equal to those provided other children" would do more to decrease prejudice and improve race relations. Accordingly, he took the position:

that segregation was the rule, but that segregation was a lie. We did not have separate and equal facilities we had separate and unequal facilities. As governor, I was going to see to it that Blacks and Whites had equal facilities. If that was the law, I was going to make it honest. See, the cry of White folks was that we don't have to give Blacks better schools. We can treat them any way we want to. And, I said that if I am governor, we will make Black schools as good as White schools.¹⁹

¹⁵ *The Politics of Misrepresentation: Rural-Urban Conflict in the Florida Legislature* (Baton Rouge: Louisiana State University Press, 1962).

¹⁶ *Odham Record*, 1952, 1997.064.0080, Series VIII, James Brailey Odham Collection, Orange County Regional History Center, Orlando.

¹⁷ Interview with Brailey Odham, March 5, 1994.

¹⁸ Numan V Bartley, *The Rise of Massive Resistance: Race and Politics in the South During the 1950s* (Baton Rouge: Louisiana State University Press, 1969): p.8.

¹⁹ Interview with Brailey Odham, March 5, 1994.

He also indicated that he would appoint Blacks to fill public jobs and to serve on state boards, but he maintained that such appointees would serve only Black communities and their jurisdiction would be restricted to Black institutions. Suffice it to say, no candidate running for Governor of Florida had ever made this kind of public commitment. As *Miami Herald* columnist John Kilgore wrote at the time, Odham offered as "much as any realistic Negro" could "expect any Florida Governor to deliver."²⁰

While the general consensus held that Florida's 1952 election for Governor fit a pattern largely absent of overt racism, 12 bombings, a lynching, cross burnings, and K.K.K. marches and rallies suggest otherwise. The use of intimidation and terror to keep African-Americans from the process and the polls was clearly on display. Moreover, the race included the candidacy of Klansman Bill Hendrix who received more than 11,000 votes. For their part, McCarty and Adams avoided blatant instances of racial politics, although a bit of a flap occurred when the former, apparently confused by a questioner, did not condemn the Klan as both Adams and Odham had done.²¹

In speaking openly about race, Odham exhibited honesty previously unheard in statewide Florida politics. And while his publicly-stated positions on the matter were not the only factors in his run-off defeat, his views were exploited to his disadvantage in certain areas of the state. Broadsides issued by an organization called the Taxpayers League proclaimed that he was "run by the Anti-Christ Jews of Miami Beach" and declared that he would "put Negroes in White schools."²² No matter that McCarty had nothing to do with such attacks he benefited from them, completely sweeping, for example, north and north-west Florida.

Conventional wisdom again held that racial politics were muted during the 1954 special gubernatorial election to fill the late Dan McCarty's term of office. Yet an opinion poll taken during the campaign indicated that 75% of White Floridians believed that most Blacks favored segregation.²³ And Acting Governor Charley Johns was not beneath stooping to racist demagoguery on the campaign trail. As a member of the state legislature, he had supported a return to the "White primary" while opposing legislation to "unmask" the K.K.K.. An old-school populist Dixiecrat, Johns sponsored anti-integration legislation as state Senate President in 1953 prior to becoming acting governor. Somewhat humorously, state K.K.K. leader and 1952 Gubernatorial candidate Bill Hendrix criticized Johns' commitment to racial segregation.²⁴

During their time in the Florida legislature, Johns' opponents Brailey Odham and Leroy Collins had both opposed the "White primary" and had supported "unmasking" the Klan. During the campaign, Odham reiterated his 1952 pledge to appoint African-Americans to state government positions and to enforce "separate and equal" public facilities. If race did not play a major role, the issue of mixed-education was periodically raised, especially in north Florida. After all, the state was one of only four in the nation that had no school integration whatsoever when the *Brown* decision was handed down.²⁵ Just across the state line, White supremacist and Georgia Governor Herman Talmadge fanned the flames of racial hatred when, in order to maintain separate schools, he declared that he would call out the state militia in defiance of the Federal government in order to maintain separate schools. Odham, who was campaigning in Jacksonville when Talmadge made his remarks, was asked during a television appearance what he would do if the "Feds" attempted to desegregate Florida's schools. He recalled saying that:

²⁰ *Miami Herald* (10 February 1952).

²¹ *Sanford Herald* (3 March 1952).

²² Photocopy, n.d., 1997.064.0080, Series VIII, James Brailey Odham Collection, Orange County Regional History Center, Orlando.

²³ Lewis M. Killian, *Black and White: Reflections of a White Southern Sociologist* (Dix Hills: General Hall, 1994): p.80-81.

²⁴ James A. Schnur, "The 1950s: Leroy Collins and Charley Johns," in James J. Horgan & Lewis N. Wynne, eds., *Florida Decades: A Sequicentennial History, 1845-1995* (Saint Leo: Saint Leo College Press, 1995): p.167.

²⁵ For a discussion of immediate reaction to the *Brown* decision in Florida, see Joseph A. Tomberlin, "Florida Whites and the *Brown* decision of 1954" in *Florida Historical Quarterly*, 51 (1972): p.22-36.

I will enforce the law and I will integrate the schools. And, I asked if anybody thought that the Civil War was fought for poor White folks. I said that the southern élite was – and is – less than 1% of the population. I said my grand-dad was a prison guard and I didn't come from the élite. I finished by saying that poor people die in wars and that it was ridiculous for a public official to say he was going to fight the federal government.²⁶

Meanwhile, official pro-segregationist activity in the state included legislative conversion (at least in name) of historically Black Florida A&M College to a university and widespread county school board construction of new school facilities in long-neglected African-American communities. As observers expected, Brailey Odham (28%) and Leroy Collins (33%) split the “moderate-liberal-progressive” vote, allowing Charley Johns (38.5%) to win the first round of voting. Despite early press touting Odham as the prohibitive favorite, he fell to third place, missing a second run-off opportunity. Eliminated from consideration, Odham took an unprecedented step on election night by telephoning Collins to inform him that “I will do everything I can to get you elected.”²⁷ He then stumped the state for Collins who, among other things, took up the former’s pledge to make African-American appointments to state government.

The U.S. Supreme Court issued its historic ruling that segregated school systems were unconstitutional on 17 May 1954, one week before the Johns-Collins contest. Johns’ defiant retort was to call for a special session of the state legislature that he never made good on; for his part, Collins took a more measured position, cautioning against violence while repeating his commitment to segregation. Beyond that, neither the press nor the two candidates focused on the high court’s ruling in the several days leading up to Collins victory, a win aided greatly by the active and visible support of Odham.

The Black Vote

African-American voter registration in Florida increased six-fold (from about 20,000 to almost 120,000) between 1944 and the beginning of the next decade. Moreover, a dramatic shift occurred in Black registration by party; there were no Black Democratic registrants at the time of the U.S. Supreme Court’s *Allright* ruling, but more than 100,000 African-Americans in the state had registered Democrat by 1950. This development initiated a slow change in the state’s electoral dynamics as some White candidates began to cautiously court Black votes. Appearances by so-called moderate candidates at African-American community rallies would become expected.

Political scientist Hugh Price, in his analysis of Florida’s racial politics in the 1940s and 1950s, portrays Brailey Odham as a stereotypical statewide politician attempting to satisfy African-Americans without irritating the much larger number of White voters. Comparing two newspaper accounts, he contends that Odham used the common campaign technique of telling a particular group one thing and another group something else.²⁸ According to Price, Odham told a White audience in North Florida that his 1952 opponents Adams and McCarty had held secret meetings with Black groups, and then later on, he had his own private meeting with Black leaders.²⁹ In his defense, Odham maintains that he attempted to expose secret meetings wherever and with whomever they took place and he denied, with one exception, meeting privately with anyone. As for the exception, Odham said that:

Tom Cobb [Volusia County State legislator and Odham campaign treasurer] arranged for me to meet with Mary McLeod Bethune [founder of historically Black Bethune-Cookman University] in Daytona. She was a lovely woman and a great inspiration. We talked for about three hours in her office and as I was leaving, she told me to be careful and to watch what I said in public or I would never get elected.³⁰

²⁶ Interview with Brailey Odham, March 5, 1994.

²⁷ *St. Petersburg Times* (19 September 1986).

²⁸ *Florida Times-Union* (8 March 1952); *Florida Times-Union* (10 April 1952).

²⁹ Price, *The Negro and Southern Politics*, p.64.

³⁰ Interview with Brailey Odham, March 5, 1994.

Price's use of the two reported instances is an interesting example of contextual analysis. On one hand, Odham appears to engage in race-baiting; on the other, he is alleged to be a hypocrite. In point of fact, neither account provides new information; both newspaper articles read as if taken directly from information that Odham himself had publicly provided African-American newspaper editors around the state two months earlier. Given that either bombast or silence prevailed when it came to the issue of racial injustice, Brailey Odham was taking some needed first steps in the direction of more equitable race relations.

While Odham was endorsed by the state-wide Progressive Voter League in the 1952 Democratic primary, Hugh Price reports that Dan McCarty received a majority of African-American votes. As was the case four years earlier, the PVL's actual influence was limited to a few counties. As Price himself points out, the most significant Black political organizations were local. An endorsement by such groups, who were often allied with local White leaders, carried weight with prospective African-American voters. Regarding the 1954 Democratic primary, for example, *Tampa Tribune* columnist Jim Powell suggested in a post-election analysis that Odham failed to win Black votes because he "insisted on telling them, face to face, that he favored segregation."³¹

Powell even reports, without a hint of irony, that Duval County Sheriff Rex Sweat, "delivered the Negro precincts" to acting governor and racial bigot Charley Johns. Not coincidentally, candidate endorsement cards issued by Black political associations in Jacksonville at the time reflected relationships that association leaders had with the local White power structure controlled by Sweat and then-Mayor Haydon Burns. The sheriff allegedly prided himself on keeping organized crime out of Jacksonville, while providing a climate comfortable for the local sporting crowd. Insinuations that he was on the take from local gambling interests and that Burns permitted corruption during his time as mayor made both men Odham's foes.

Brailey Odham's failure to carry African-American votes can be plausibly explained by examining the charade that passed for political democracy in Black communities throughout Florida. Votes were coerced and manipulated; White police officers stationed in Black neighborhoods on election days served to "determine" turn-out at the polls. As Richard Scher writes,

it was not too unusual to find Blacks rounded up on election day, brought to polling places and 'voted' by supervising Whites. Sometimes certain rewards would be forthcoming: some money, whiskey, possibly even the promise of a road or a few jobs."³²

From the fee system of justice to KKK terror and intimidation tactics, Black citizens were subjected to humiliation and degradation. They neither misunderstood nor rejected Odham's position on race which aimed, not at attacking segregation, but toward enforcing the 14th and 15th Amendments to the U.S. Constitution. After all, they simply had to look around – at the unpaved roads and the decrepit school buildings – to know that the equality provisions in *Plessy v. Ferguson* (1896) had been violated. In point of fact, Brailey Odham's position resembled what Sociologist Herbert Haines called "separate but equal legalism."³³

Odham's mid-Twentieth Century stance on racial matters, compromised as it was by the socialization and values of the Old South, was not typical. Initially a segregationist yes, but a segregationist committed to a doctrine of "separate and equal" not "separate and unequal." Moreover, he was moving in a progressive direction. As such, an incident that occurred in St. Petersburg during the 1954 Gubernatorial campaign is suggestive both for what it says about Odham and for what it reveals about racial politics in Florida at the time. He remembered that:

³¹ *Tampa Sunday Tribune* (9 May 1954).

³² Richard Scher, *Politics in the New South: Republicanism, Race and Leadership in the Twentieth Century* (New York: Paragon House, 1992): p.66. For an extended analysis, see Alfred B. Clubak, John M. Degrove & Charles D. Farris, "The Manipulated Negro Vote: Some Preconditions and Consequences" in *Journal of Politics*, XXVI (February 1964): p.112-129.

³³ Haines, *Black Radicals and the Civil Rights Mainstream*, p.19.

It was taboo in those days for a candidate to acknowledge that there was a Black vote, or that they even had a right to vote. I had just finished speaking at a Black church when a Black reporter came up to me and asked if he could take my picture with the people on the stage. I said, sure, take my picture. The preacher leaned over and said to the reporter, put that camera down, this man is our friend and he is trying to help us. If you put his picture in the newspaper, you could get him killed.³⁴

Conclusion

Floridians would continue to elect segregationist governors for almost two decades after Brailey Odham's second and final campaign for governor in 1954. Racial politics dominated the first post-*Brown* election in 1956, fueled not only by the U.S. Supreme Court's desegregation ruling, but by the "one-note" campaign of retired National Guard Lieutenant-General Sumter Lowry from Tampa as well. Lowry denounced integration as part of a communist conspiracy to destroy the nation's moral fiber by creating a "mongrel" race.³⁵ Taken seriously in a way that the K.K.K.'s Bill Hendrix was not in 1952, Lowry finished a distant second to incumbent Leroy Collins who secured the first-ballot Democratic Gubernatorial nomination in state history.

As Florida Governor, Collins had appointed the first African-American Assistant-District Attorney in the state's history and commuted the death sentence of a Black man on grounds of insufficient evidence. Nevertheless, he continued a pledge to use "all the powers of the governor's office to maintain the dual school system."³⁶ While he is rightfully remembered as a voice of moderation and reason, Leroy Collins campaigned for re-election as an opponent of *Brown*. Primarily interested in bringing economic investment to the state, he conveyed an image of forward-looking leadership by averting the extremes of racial crisis enveloping the South. As he had done in 1954 following his own candidacy's elimination, Odham campaigned for Collins, remarking about Lowry in a state-wide televised speech from Pensacola that he:

talks dangerously which will result in consequences and chaos. In one breath he talks about resisting and on other occasions defying the Supreme Court. He also says he will stand and fight. What is he talking about – rebelling or separating from the nation?³⁷

Still, an incident in the 1956 race would test the strength of the Odham's and Collins' personal and political bond when Lowry's campaign distributed a photo of the governor shaking an African-American hand at a Florida Negro Teachers Association meeting. Odham informed Collins that he would not vote for, much less continue to back him if he tried to repudiate the episode away. The latter publicly acknowledged the handshake to Odham's satisfaction, saying that "I cannot imagine any governor doing otherwise."³⁸

By the 1960 Florida gubernatorial race, Brailey Odham was back in the public spotlight, the result of his efforts as Chair (1957-1960) of the Florida Milk Commission to reform milk pricing in the state. With the press again bandying his name about as a potentially formidable candidate, he chose to concentrate on his growing and increasingly successful home building company. His candidacy would have been historic given the fact that he had come out in favor of desegregating public education. In 1959 remarks to the Orange County (Orlando-area) Bar Association, Odham said that:

I could not under any circumstances vote for a candidate this time who vows to prevent any integration because if that man becomes governor he will then be placed in a position of closing public schools and defying the laws.³⁹

³⁴ Interview with Brailey Odham, March 5, 1954.

³⁵ Price, *The Negro and Southern Politics*, p.85-86.

³⁶ Thomas Wagy, *Governor Leroy Collins of Florida: Spokesman of the New South* (Tuscaloosa: University of Alabama Press, 1985): p.60.

³⁷ *St. Petersburg Times* (19 April 1956).

³⁸ *Florida Times Union*, April 25, 1956. For a discussion of racial politics in the 1956 Florida State election, see Helen L. Jacobstein, *The Segregation Factor in the Florida Democratic Primary of 1956* (Gainesville: University of Florida Press, 1972).

³⁹ *Orlando Sentinel* (21 August 1959).

A year later, he asserted that race was the most important single issue facing the people of Florida, but he argued that the candidates either used “pious platitudes” or they chose to duck the matter entirely.⁴⁰ Ultimately, a former state legislative colleague and a person that Odham once considered his best friend in politics, Farris Bryant (Ocala), won the Governor’s seat in 1960, besting nine other Democratic candidates in the first round of primary balloting with only 20% of the vote, and then winning the party’s nomination by defeating racial moderate Doyle Carlton Jr., who Brailey Odham supported but for whom he did not actively campaign. As a candidate, Bryant stood for repudiation of the “racially moderate” views of Leroy Collins. Despite their relationship having soured over the years Bryant initially sought Odham’s backing, but as the latter recalled:

I asked him what he based his segregationist views on and he said the Bible. Now, people had been telling me that all my life. So, I reached into a desk drawer, pulled out a Bible and said, Farris, show it to me. I said that I was brought up to believe in segregation too and I know it is the political thing, the popular position. I told him that I would support him if he could find justification for Jim Crow in the Bible. Of course, I knew he couldn’t. I said, Farris, you are being a redneck segregationist because you want to be governor so bad that you’ve adopted the biggest lie there is in order to get votes.⁴¹

As Governor, Bryant dissolved a state-wide bi-racial advisory committee, blocked federal aid to education on grounds that it was intended to promote school integration, and refused to cooperate with a Civil Rights Commission study of African-American employment opportunities. Moreover, in testimony before the U.S. Senate, he compared a consumer’s refusal to buy a product because of his dislike of a business owner’s mustache to a proprietor’s refusal to serve someone on the basis of that person’s race.

Another staunch segregationist and Odham nemesis, Mayor Haydon Burns of Jacksonville would be elected Florida Governor in 1964. Securing the Democratic nomination remained tantamount to becoming the Governor and Burns accomplished this by defeating liberal Miami Mayor Robert King High in a run-off. Burns called his opponent the “NAACP candidate” and suggested that the organization practiced a politics of intimidation, sowing fear and dread among African-American he claimed wanted to vote for him. Burns also blasted the public accommodations section of the Civil Rights Act that would be enacted in early-July, asserting that it would lead to the nationalization of business. As a sign of the declining Democratic Party dominance in Florida, however, Burns received the smallest percentage of general election votes (56%) of any Democratic nominee in state history.

Hayden Burns served an abbreviated two-year term when Florida changed its gubernatorial election cycle so that it would not coincide with presidential elections. He lost the 1966 Democratic primary to Robert King High, then refused to support High in the general election against Claude Kirk who became the state’s first Republican Governor since post-Civil War Reconstruction. Both as a candidate and as governor, Kirk tended to give segregationists what they wanted. In alleging that Black power was behind his Democratic opponent, Kirk engaged in race-baiting. In opposing a U.S. Supreme Court ruling ordering the immediate desegregation of Manatee County public schools, he sowed chaos and confusion.

As for Brailey Odham, he launched a late and unsuccessful 1964 pro-civil rights campaign for the U.S. Senate against incumbent and ardent segregationist Dixiecrat Spessard Holland. Noting that Holland had no primary opposition, Odham qualified for the ballot an hour before the deadline, saying that the “people of Florida should have a chance to vote for a Democrat.”⁴² Here was a Southerner calling himself a Kennedy-Johnson Democrat and speaking to Southerners in their own terms, replete with all the “yores” and “howdys” so common to the vernacular, while going to the economic core of racial

⁴⁰ *Tampa Tribune* (24 March 1960).

⁴¹ Interview with Brailey Odham, April 23, 1994.

⁴² *Collier County News* (3 March 1964); *Cocoa Tribune* (4 March 1964).

prejudice and demonstrating how African-Americans were scapegoated in order to placate underpaid Whites. And, he did not save this message for liberal Miami Beach, he spoke it in North Florida counties where rural penury for both races was the norm, leading *Tallahassee Democrat* newspaper editor Malcolm Johnson to write that Odham embraced “forced integration of the races in private business.”⁴³ Despite losing badly, he received almost 300,000 votes, about 50% of which came from White voters, thereby offering an electoral choice to civil rights supporters in the state.

Odham would put a lid on his political career in 1967 when he answered the call for President Lyndon Johnson’s “War on Poverty,” serving as a board member and, later, as Chairman of Orange County, Florida’s community action program. Commenting some three decades later about the problems the organization encountered, he said that:

county government had to cooperate, but local political officials did not subscribe to the OEO [Office of Economic Opportunity] program. We managed to replace a weak White administrator with a strong Black administrator and a fairly active Black group developed. The only program we had with any money was Head Start. The amount of money spent for things such as housing was so small it couldn’t begin to solve the problems. People like to say that the poverty programs were a great waste of money; really, they were never given a chance to work.⁴⁴

Odham’s comment affirms the view of those who argue that the anti-poverty fight was never seriously funded, that it was waylaid by a “conservative coalition” of congressional southern Democrats and Republicans, and by the growing costs of the Second Vietnam War (1964-1975). As just one example attests, 3,000 children in Orange County were on a Head Start waiting list in 1967 when there was funding for 20% of that number.⁴⁵

Brailey Odham’s public life underscores mid-Twentieth Century political and social changes in Florida. He took some important steps towards creating a Southern populism freed from the crudeness of racial prejudice and he posed a challenge to White supremacy, redneck bigotry and “Dixiecratism”. Displaying a capacity for change that was both philosophical and pragmatic, Odham’s evolution addressed the dishonesty inherent to segregation. In contemplating his changing views he pointed out that:

the Southerners I grew up with and listened to until I was nauseated proved themselves by their segregationist views. How much courage did that take? After all, they were pleasing nine out of every ten people. But as I traveled through life, I heard a different message. You see, my mama taught me bigotry as a child and I was determined that I would not teach it to my children.⁴⁶

True, his political opponents at the time felt little, if any, need, to engage him where race was concerned. Such men could offer more than Odham, less than Odham, or the same as Odham. By and large, they chose to offer less, and in many cases, nothing at all. Speaking about race in a manner to which many Floridians were unaccustomed, he helped push the state in a political direction that it would, however reluctantly, have to go. And in 1970 Florida finally elected as Governor, progressive Democrat Rubin Askew, who was not a segregationist.

⁴³ Glenda Alice Rabby, *The Pain and the Promise: The Struggle for Civil Rights in Tallahassee, Florida* (Athens: University of Georgia Press, 1999): p.171.

⁴⁴ Interview with Brailey Odham, May 14, 1994.

⁴⁵ *Orlando Sentinel* (25 April 1967).

⁴⁶ Interview with Brailey Odham, March 5, 1994.

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Crime, Drugs and Power in Honduras: Searching for Better Measures of State Fragility¹

Kari Williams, M.A. (Center for Global Economic & Environmental Opportunity-University Central Florida, Orlando & Rotary Peace Fellow)¹¹

KEY POINTS/ABSTRACT:

- This report argues that state ‘fragility’ metrics are inadequate. An increase in transparency and a call for new metrics are necessary to address entrenched elite corruption and organised crime in Honduras. In order to achieve these goals, donor countries must reconcile the political cost of promoting policies that address impunity and political protection against their own foreign policy agendas.
- Since the 2009 *coup d’État*, the United States has spent millions of dollars in Honduras, and the new Honduran government has enacted fresh policies aimed at promoting economic and security reforms. Despite these measures, Honduran political elites appear to have increased criminal activities, further consolidated socio-political control and re-militarised state institutions. Consequently, the past decade has witnessed increasing government-sponsored political violence against civil society groups and political opponents of the régime.
- The 26 November 2017 re-election of President Juan Orlando Hernández signifies the continued inadequacy of international and national governance structures to curb corruption. The criminal-legal elite network in Honduras continues to impede security and justice reforms, despite the formation of the Mission Against Corruption and Impunity in Honduras (MACCIH).¹ Deeply embedded criminal-élite interests and insensitive assistance by the United States and other international donors have contributed to reform inertia.
- State fragility ranking organisations, like the Organisation for Economic Co-operation and Development (OECD), utilise state fragility frameworks to address issues of state instability. Yet fragility ranking organisations do not provide adequate access and transparency to their national fragility reports and related data to broaden civil society engagement.
- The OECD States of Fragility Framework would benefit from the inclusion of a multi-dimensional elite power fragility indicator potentially as a principle component measurement that incorporates the OECD violence lens, corruption and elite capture across all five fragility dimensions. An elite power fragility indicator may also provide some insight into criminal-legal elite networks within donor countries, highlighting the complexity of addressing transnational elite corruption across borders.
- New metrics that align the United Nations Sustainable Development Goals (SDGs), drug policy, and local citizen security indicators alongside fragility metrics have the potential to provide a multi-level governance approach to guide security, economic assistance and transparency. However, as long as international donors utilise ranking systems in silos and prioritise conflict-insensitive aid policies, aid will continue to be channelled through corrupt operating systems and efforts to support sustainable development and anti-corruption reforms will be undermined.

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- The U.S. and international donors like the OECD must prioritise development measures that consider local conflict and fragility-sensitive development ahead of hard-lined counter-narcotic strategies. The success of collective engagement across socio-economic, political and environmental fragility dimensions, which affects sustainable development relies on further investigation of how transnational criminal-élite systems operate. These systems often utilise drugs, development programmes, security assistance and power structures to undermine sustainable development, citizen security and human rights.

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Introduction

This report argues that state ‘fragility’ metrics are inadequate and an increase in transparency and call for new metrics is necessary to address entrenched élite corruption and organised crime in Honduras.² Furthermore, the interconnectivity of élite corruption through illicit markets and drugs is not often adequately addressed in the metrics and analyses. Although there is no consensus on the concept of state fragility, it is widely accepted that a state which is experiencing fragility is unable to provide critical public goods, services and safety to all of its inhabitants, while its authority can often be challenged by its citizens and non-state armed actors.³ The World Bank describes ‘fragility and fragile situations’ as timeframes when states ‘lack the capacity, accountability, or legitimacy to mediate relations between citizen groups, and between citizens and the state, making them vulnerable to political violence’.⁴

State fragility has been identified primarily by countries in the Global North as one of the principal factors that can lead to intra and interstate conflict and instability, effectively undermining development and opening enclaves for criminal activity. As a result, efforts to measure and rank state fragility have proliferated in recent years in an attempt to better understand the driving factors of fragility and thus to predict and mitigate risk. As a significant risk factor in Honduras, criminal-élites (crimi-élite) and international donors like the U.S. and OECD continue to fuel what has been deemed a fragile situation by applying conflict-insensitive fragility frameworks and security and economic assistance that does not effectively address crime, mitigate corruption, support citizen security, or address crimi-élite power in the country. This is due to the prioritisation of political objectives over citizen protection and security. Citizen security in this regard is the understanding, evaluation and realisation of public safety measures that effectively protect citizens from criminal, political and social violence.⁵

In the Americas, drug policy as a contributing factor to violence has expanded to programming outside of traditional drug control and development parameters, including the incorporation of illicit activity and violence reduction strategies, anti-corruption programming, the Sustainable Development Goals (SDGs), gendered-based perspectives, health and human rights.⁶ However, organised crime and gang violence in Honduras are both symptoms and causes of Honduras' multi-dimensional violence and citizen insecurity. Policies aimed to address drugs and state fragility must account for the complexity of how crime functions within both Honduran and donor countries' economies and sociopolitical orders.

At a detailed level, international fragility indicators set to measure criminal activity and corruption do not effectively address the pervasiveness of crimi-élite operating systems in order to promote conflict-sensitive economic and security assistance. Furthermore, transparency of international methodologies and national fragility reporting mechanisms is significantly limited. Thus, there is a need to re-evaluate current metrics and increase transparency with and for local actors.

In order to contextualise the critique of state fragility frameworks, Section 1 in this report introduces a conceptualisation of state fragility and crimi-legality in order to frame the multi-dimensional operating system in Honduras. Section 2 highlights the inadequacies of fragility rankings systems as an international governance metrics tool. While Section 3 provides an introduction to the 2016 OECD's States of Fragility Framework to describe applications and limitations relating to this methodology. Based on the OECD framework, Section 4 provides a historical illustration of Honduras' fragility before, during and following the 2009 coup d'état as a case example of how fragility and international governance mechanisms do not adequately address crimi-élite capitalisation on drug trafficking, criminal activity, socio-political control and political terror. Section 5 examines the reconsolidation of Honduras' crimi-élite institutions and power structures following the 2009 coup d'état and the élite-capture of the 2017 presidential election, laying the framework for a call for new metrics in Section 6, and concluding reflections in Section 7.

Section 1: International Governance Metrics: Framing Fragility

The Geneva Declaration on Armed Violence and Development states that nine out of ten violent deaths occur outside of conventional conflicts, while the OECD states that 60% of the world's poor are estimated to be living in fragile situations by 2030.⁷ Since 2001, there has been a proliferation of the concept of state fragility and policy responses particularly among Western governments and the OECD Development Assistance Committee.⁸ This is significant as the majority of international governance frameworks are developed outside of situations considered to be fragile. Much like the global drug problem, the focus of state fragility discourse and programming is aimed at the Global South with international governance or 'soft power' fragility metrics utilised as a guide for security and development priorities for donor countries.⁹

While international governance metrics – often tied to security assistance and development funding – have placed some pressure on governments the intended and unintended consequences on local communities remain an understudied area. However, recognising that fragility is multi-dimensional, several indices attempt to measure factors including the economic and human costs for states and regions and the potential security threat fragility presents.¹⁰ There has also been a growing focus on regional fragility and fragile urban environments and the concept of what has been termed ‘urban security’.¹¹ Urban security investigates the inter-relationships between violence and urban spaces in what are designated as ‘fragile cities’.¹² A fragile city in this regard can exhibit a complex nexus of rapid urbanisation, civil unrest, illicit activity and violence which may be intensified by a state’s ineffective coping strategies and corruption.¹³ Governments have also been known to employ a form of ‘military urbanism’ within cities using political violence for urban control.¹⁴

The most vulnerable civilian women, youth, and children are often – but not exclusively – affected disproportionately by such instances of state and urban fragility. These effects including violence and marginalisation are reinforced by hardline counternarcotic tactics and corruption from political and economic élites protecting the inter-relationships between criminal networks, drug markets, political power, and social influence.¹⁵ The particular unintended consequences from the state’s prioritisation on counternarcotics has led to a misuse of law enforcement resources, damages to infrastructure, increase in pollution and natural resource degradation, criminalisation and stigmatisation of drug users, negative impacts on health, and the undermining of development and human rights.¹⁶

This is due in part to a focus on the supply side of the drug trade, as well as the adaptive protection markets of élites, criminal groups, and/or politicians who can finance security measures and alter policy to safeguard their ‘crimi-legal’ interests fostering a climate of ‘crimi-legitimacy’.¹⁷ These regular patterns of social exchange, interaction, and transaction that take place in the grey areas that lie between legality and illegality create their own law and operations.¹⁸ Thus addressing issues like state fragility, the global drug trade, stark inequality and corruption based on a framework of legal-societal criminality is a significant challenge. While the drug market is a key factor, it is the implementation of hard-lined counternarcotic strategies and conflict-insensitive evaluation of anti-corruption and assistance programmes that reinforces bad policy.

Section 2: Inadequacy of Fragility Rankings

International security and development actors have a particular interest in utilising fragility indices to influence and guide their decision-making processes for security programming and foreign aid distributions. In theory, fragility indices help monitor regional and global stability trends, determine which countries need differential approaches for security and development programmes, and evaluate the impact of development and foreign aid.¹⁹ However, as useful as fragility indices could be in guiding policy and assessing impact, in reality, these indices oversimplify complex, multidimensional, and multi-causal social, political, economic, and environmental factors and in doing so often ignore the necessary nuanced analysis of the conditions on the ground. Much like effectively capturing the systemic interconnectivity of the global drug problem, portraying and confronting state fragility is inherently complex. Despite some progress over the past two decades, efforts to address the root causes and measure state fragility continue to be fragmented across the international community.

Critiques of these rankings, particularly based on indices, are centred on three issues: the operationalisation of the concept of fragility, the methodology utilised to arrive at these rankings, and the interpretation of the results of these rankings.²⁰ First, the proliferation of these types of rankings in the hands of different international organisations, development agencies and non-governmental organisations has resulted in different understandings of fragility. They all relate to state weaknesses vis-à-vis expectations of what the role of the state should be; some of these indices focus on the risk of

state failure while others reflect on the shortcomings of state institutions.²¹ Furthermore, normative applications of state fragility which prioritise institutional state-building are challenged to evaluate and improve fragile socio-political systems where élites, armed non-state actors and drug trafficking networks reinforce fragile situations.²²

Second, different understandings of fragility are also reflected in the various methodologies for calculating fragility and ranking states, as some of these methods focus on particular aspects, for instance emphasising the security dimension of fragility, while others attempt to present a more comprehensive understanding. The third major criticism surrounds how the methodologies in these indices collect, utilise and interpret data. Many of the fragility indices are based on socio-economic data collected by state institutions - data that is often incomplete or inaccurate. At the same time, projections used to fill-in missing data also make assumptions about the continuity of trends, without overtly explaining the implications of such assumptions. Most of these indices use very basic aggregation methods, giving equal weight to the different components measured within the framework and in doing so assume that all these factors contribute to fragility equally. At the same time, some of the factors these indices attempt to measure lack appropriate indicators to accurately assess them, and therefore these calculations are often based on proxy indicators. This has resulted in the simplification of complex phenomena to produce quantifiable and measurable results.²³

Few studies have incorporated local empirical data analysis into their data, which limits the interpretation and understanding of the effects of multi-dimensional violence across different groups of individuals and communities.²⁴ Critics also stress the lack of conflict sensitivity that is incorporated into these rankings and indices by failing to account for the operational context, interactions and role that foreign state interventions have both physically and financially on the fragility of states.²⁵ This ignores the intertwined role that third parties like the U.S. play in regards to illicit financial flows, arms flows and transnational élite market capture – omitting a significant contributor to national and regional instability around the world. There have been some attempts to quantify élite power and research is moving to incorporate corrupt élite networks as a destabilising mechanism.²⁶ However, there remains a significant gap in investigations on how to address crimi-élite corruption in both countries considered fragile and within donor countries like the U.S.²⁷

Furthermore, should repressive and undemocratic states that have control over their territories, have the monopoly of violence, and can provide basic services to the population be considered fragile? This is one of the issues in ranking states through international norms that are based on risks of state failure. Another significant issue is the inconsistency across fragility ranking institutions. Different indices classify countries differently, particularly undemocratic or authoritarian states. For example see the World Bank's Country Policy and Institutional Assessment (CPIA), African Development Bank's (CPIA), Asian Development Bank (CPIA), Fund for Peace's Fragile States Index (FSI), the G7+ Fragility Spectrum.²⁸ At the same time, fragility indices and how states are ranked obscure other problematic shortcomings of these rankings, particularly context-specific issues that differentiate whether the state is unable or unwilling to fulfil its functions based on the Western, liberal understanding of statehood and the state's responsibility.²⁹ Therefore, these indices fail to describe more specifically the type of fragility and how much of a threat these pose to stability at the national, regional and global level.³⁰

Section 3: 2016 OECD States of Fragility Framework

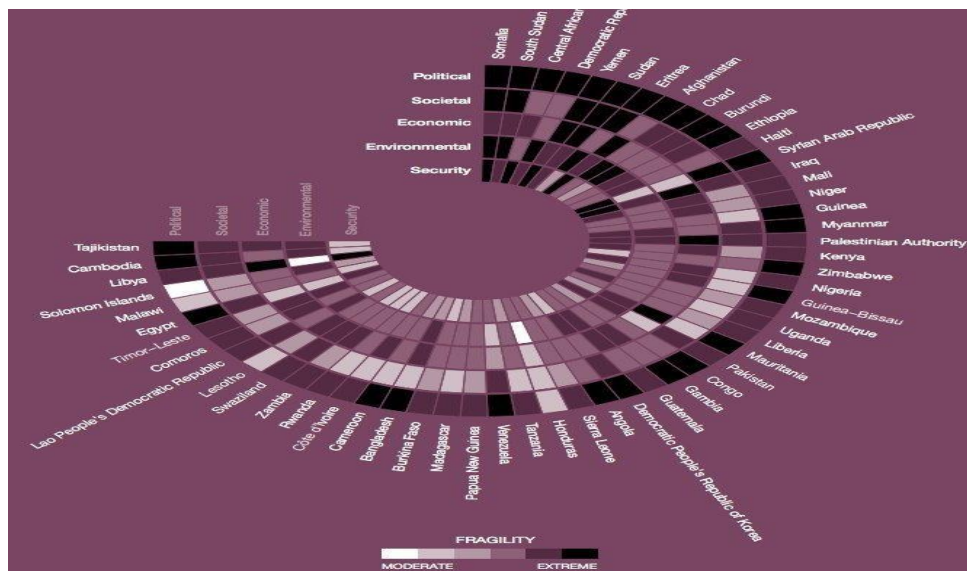
Despite significant issues, international governance and assistance still requires that a basis to evaluate policy and progress is established in metrics. Thus, state fragility frameworks continue to be utilised to provide security and development policy guidance in order to address state internal and external vulnerabilities. As an example, the 2016 OECD States of Fragility Framework portrays vulnerability as multidimensional fragility or 'the accumulation and combination of risks combined with

an insufficient capacity by the state, system, and/or communities to manage it, absorb it, or mitigate its consequences'.³¹ A state's ability to absorb or withstand shocks can be referred to as its coping capacity.³² While the concept of risk varies, risk is described as: 'the potential damage caused by a hazard or harmful event, including potential exposure and vulnerability for populations leading to negative outcomes'.³³ In order to demonstrate both fragility risks and coping capacities, the OECD States of Fragility Framework offers a conceptual application of environmental, economic, political, security and social vulnerabilities along a spectrum of intensity (**Box 1**). In 2016, 56 countries were listed as experiencing fragile situations along this spectrum ranging from moderate to extreme (**Box 2**).³⁴ However, the framework is intended to demonstrate a country's current state of fragility and should not be construed as a future indication.³⁵

Box 1: OECD Five Dimensions of Fragility^{III}

Environmental	Vulnerability to environmental, climatic and health risks that affect citizens' lives and livelihoods. These include exposure to natural disasters, pollution and disease epidemics
Economic	Vulnerability to risks stemming from weaknesses in economic foundations and human capital including macroeconomic shocks, unequal growth and high youth unemployment
Political	Vulnerability to risks inherent in political processes, events or decisions; lack of political inclusiveness (including of élites); transparency, corruption, and society's ability to accommodate change and avoid oppression
Security	Vulnerability of overall security to violence and crime, including both political and social violence
Societal	Vulnerability to risks affecting societal cohesion that stem from both vertical and horizontal inequalities, including inequality among culturally defined or constructed groups and social cleavages

Box 2: The 2016 OECD Fragility Framework Diagram^{IV}



^{III} Box 1 Source: Organisation for Economic Co-operation & Development (2016), *States of Fragility 2016. Highlights*. Ibid.

^{IV} Box 2 Source: Organisation for Economic Co-operation & Development (2016), *States of Fragility 2016. Highlights*. Ibid. p.36

Critique of the OECD Framework

The OECD framework highlights specific drivers and impacts of social, interpersonal, criminal and political violence, or extremism, where these factors overlap and fragility is understood as a combination of risk exposures and emerging threats.³⁶ Indicators linked to direct and social violence are represented in the security dimension of the framework, while measures of indirect violence or structural violence are represented in the social, economic and political dimensions. The 2016 OECD States of Fragility report also highlights an expansion of the OECD violence lens to better inform policy approaches and context analysis. The 2016 OECD violence lens frames the multi-level interaction between power, marginalisation, capacity and violence. However, the lens is a separate analysis tool from the OECD framework and guidance on implementation is not accessible.³⁷

Like other fragility assessment frameworks, the 2016 OECD framework largely provides an overview of indicators and results while lacking access to data. A particular criticism of the OECD methodology is that there are limitations in the principle component analysis due to a loss of information and a lack of quality data at the subnational level as well as lack of micro-level indicators.³⁸ This is significant as measuring progress relies on relevant and consistent data collection at all levels. Furthermore, without direct access to each country's national fragility report and datasets, assessing how the fragility intensity spectrum was evaluated across the OECD fragility dimensions is challenging. As donor governments continue to incorporate the OECD framework into their security and development policies, building inclusive processes for local actors and broader civil society engagement are challenged by this very lack of access to information. In addition, the OECD framework is comprised of multiple indices, metrics, and datasets that go beyond the scope of many stakeholders' capacity to engage with the framework. Utilising the OECD States of Fragility Framework, the next section will characterise the limitations of fragility frameworks through a discussion on how elite corruption in Honduras and conflict-insensitive international interventions have permitted the crimi-élite capture of state institutions, and capitalisation of drug trafficking, criminal activity, socio-political control and political terror within the country.

Section 4: Undermining State-building and Sustaining Fragility in Honduras

In 2016, Honduras was listed as one of the 56 countries experiencing a situation of fragility. At the 2016 OECD States of Fragility launch, Honduras' Vice Minister of International Cooperation and Promotion under the Ministry of Foreign Affairs, H.E. Ms. Maria del Carmen Nasser Selman, announced that Honduras would be undertaking a multidimensional approach to addressing the country's fragile situation in all five OECD dimensions. Giving examples of the country's previous progress in the areas of combatting drug trafficking and homicide rate reduction, Ms. Nasser Selman highlighted that the rise in crime and public insecurity was a recent, urban issue, and that high levels of violence were not endemic to the country. She also highlighted that the migration crisis in 2014 was a consequence of organised crime which has promoted the increase of transnational youth gangs and drug trafficking, and that combatting trafficking networks, while providing reintegration and human rights protection for migrants remains a significant challenge.

Recognising the importance of addressing 'root causes' and factors leading to the country's multi-dimensional fragility, Ms. Nasser Selman highlighted Honduras' progress through the establishment of the "Better Living Plan", "Programme Honduras 20/20", "Mission Against Corruption and Impunity in Honduras (MACCIH)", and the incorporation of the SDGs to national and municipal level planning. She reinforced the call for international donors to provide adequate and sustained development funding in order for Honduras to address its fragile situation, while Latin American and Caribbean countries continue to increase their south-south and regional cooperation.³⁹ Despite claims of progress, historical evidence shows that corruption and high rates of violence continue to reinforce fragility and citizen insecurity in Honduras. In turn, homicide rates and other forms of direct and structural violence in the country have remained very high.

Overview – Fragility in a Crimi-Élite Context

Crimi-élite networks have long been a part of Honduran history due to the state's development through authoritarian regimes, failed democratic reforms, neoliberal development, high inequality and poverty, elitist culture, failed agrarian reforms, illicit trafficking and conflict-insensitive counter-narcotic, business and development interventions by the Honduran government, U.S. and other international donors. Particularly, far-reaching U.S. neo-liberal economic agendas prioritised foreign investment and exportation, contributing to the exploitation by – and the establishment of – a strong Honduran transnational crimi-élite network. It is comprised of multidimensional classes and controls which have capitalised on wealth generation from licit and illicit markets at the expense of increased violence to the population.⁴⁰

Honduras began its transition into a democracy with the ratification of its constitution on 11 January 1982 and has held several democratic elections since then. However, corruption, bribery, embezzlement and '*chamba*' or patronage jobs continue to be the norm.⁴¹ The democratic transition that Honduras underwent in the early-1980s is cited as militarised 'controlled democratisation', thus contributing to the military's continued significant influence within the Honduran government.⁴² State-building efforts were also challenged in part due to continued élite, military and police influence over the population, severe human rights abuses and violence.⁴³

Since the early-1990s, the structure of the Honduran élite network has altered. Honduran transnational élites were able to take advantage of market liberalisation policies of this decade and expand their operations largely from the service and communications sectors.⁴⁴ These élites, many from immigrant heritage, have become the most powerful élite sector.⁴⁵ While the traditional land-based élites in Honduras still hold power, it is exercised more through governmental positioning instead of financial incentives.⁴⁶ A third group of bureaucratic élites have also gained power due to their political influence and are able to maintain this power due to the reliance of both traditional and transnational élite control of state resources and governmental influence to protect their interests.⁴⁷ In order to protect their interests and maintain control, the crimi-élite network in Honduras has obscured formal governance structures to develop a 'parallel or shadow state' that exercises real power within the country.⁴⁸ This underlying crimi-élite state system operates to support illicit activities where the co-optation and inaction of state and local leaders permits a consolidation of power for profit at the expense of post-conflict state-building and development efforts.⁴⁹ In effect, this crimi-élite system creates a state of 'development in reverse' or 'non-development' where illicit activities are integrated into socio-political institutions and normal operations.⁵⁰

Conflict-insensitive actions of the U.S. during and following the Cold War also contributed to the reinforcement of Honduras as Central America's drug trafficking corridor and aided in the increase of illicit trafficking markets for drug cartels, transporters or *transportistas*, small arms proliferation, and gang activity.⁵¹ In relation to drug trafficking, *transportistas* are cited as inflicting the most damage to communities.⁵² While Honduras had historically contained small territorial gangs who were less likely to resort to extreme violence, the conflict-insensitive deportation of ex-convicts and gang members to Honduras following the 1996 U.S. Illegal Immigration Reform and Immigrant Responsibility Act contributed to the emergence of 'hyper-violent' territorial, gang-based violence.⁵³ Gangs were able to establish 'safe haven' bases of operation, socialisation networks and 'school houses' for recruitment through Honduras' corrupt security, judicial, and political systems.⁵⁴

Although the Honduran state participated in U.N.-sponsored demobilisation efforts in the 1990s, attempts to separate military and police functions and professionalise the police force were challenged by dominant military approaches and culture and the continued infiltration of illicit groups.⁵⁵ It was not until 1999 that a constitutional reform established civilian control over the Honduran military.⁵⁶ However, the relationships and illicit networks established between security forces and organised criminal networks during the Cold War continued through the co-optation of the Honduran police

force.⁵⁷ Furthermore, corruption within the judicial system promoted a climate of impunity, in turn upholding crime and drug trafficking as alternatives for social and economic mobility.⁵⁸

The Impact of Crimi-Élite Capitalisation on State Fragility and Drugs

Honduras' crimi-legal society has been long sustained and entrenched through the historically embedded corrupt and illicit nature of the élite network's capitalisation on the country's environmental, economic, political, social and security fragility.⁵⁹

Environmental Dimension

As an example, the 1998 hurricane 'Mitch' exacerbated structural weaknesses in the Honduran state proving to be one of the worst natural disasters to hit the country. Hurricane Mitch left at least 6,000 Hondurans dead, 10,000 missing, 12,000 injured, and 1.5 million homeless out of an approximate population of six million at the time.⁶⁰ The country and president Carlos Roberto Flores Facusse were not able to handle the devastation. Evidence also suggests that Facusse colluded in secret with élites to develop the country's reconstruction plan following the disaster.⁶¹

The hurricane not only intensified the country's pre-existing socio-economic conditions and political instability, but also presented an ideal opening for criminal networks to increase operations.⁶² With the U.S.' counternarcotic focus on Mexico and Colombia, Honduran and foreign organised criminal organisations and drug traffickers were able to concentrate the majority of their drug product movements from South America through Honduras to Mexico.⁶³ The early to mid-2000s spill-over effect caused a stark increase in the number of Honduran drug transporters within the country.⁶⁴ Furthermore, in order to minimise their risk, drug trafficking organisations paid Honduran transporters like 'Chepe Luna, Jose Miguel Handal Perez in San Pedro Sula, the Valle Valle family in Copan, the Zelaya clan in Atlantida and the Cachiros organisation in Colon' in drugs instead of money and the transporters in turn contracted local gangs or maras to move the illicit goods.⁶⁵ Transporters well connected to Honduran crimi-élites were able to funnel the increase of illicit resources and capital into the control of the élite network, reinforcing drug trafficking organisations into Honduran political, social, economic and security spheres.⁶⁶

The expanded consolidation of economic resources and embedded corruption further marginalised economic opportunity and mobility for many Hondurans, increased citizen insecurity and violence, and forced many Hondurans to seek income through illicit resources.⁶⁷ The increase in drugs readily available in Honduran communities also increased drug usage, affecting individual health and socio-economic vulnerability. Socio-economic vulnerability is listed as an OECD environmental and economic fragility risk and can be defined as the ability of individuals and households to afford safe and resilient livelihood conditions and well-being.⁶⁸ Furthermore, U.S. donor approaches toward alternative development have produced little success in promoting sustainable livelihoods. Experts argue that the development community should be given more remit within existing organisational mandates to use applied development approaches when addressing activities such as drug supply and cultivation control.⁶⁹

Economic Dimension

In order to meet livelihood requirements, many Hondurans have sought migration and remittances. By 2009, it was estimated that 12% of the Honduran population lived outside of the country.⁷⁰ 'Remittances inflows are the earnings and material resources transferred by international migrants or refugees to recipients in their country of origin or countries in which the migrant formerly resided'.⁷¹ In Honduras, remittances represent one of the largest sources of domestic income over both

^v Box 3 Source: J. Johnston & S. Lefebvre (2013), "Honduras since The Coup: Economic and Social Outcomes", *Ibid*, p.6; United Nations Development Programme (2016), *Human Development Reports*. Remittances, Inflows (% of GDP). *ibid*.

the agricultural and manufacturing sectors.⁷² Remittances are identified as the largest type of financial stream received by countries experiencing fragility, followed by official development assistance (ODA) and foreign direct investment (FDI).⁷³ Drug trafficking is also considered to be an alternate type of remittance channelling illicit activity flows through a country’s financial sector while providing capital to grow the economy.⁷⁴ Furthermore, the money used from trafficking also serves as economic, political, and social capital which can reinforce corruption and undermine human rights in weak state institutions. According to the World Bank, in 2006 Honduras was ranked fifth out of the top 29 remittances recipients world-wide.⁷⁵ Despite remittances decreasing from 2006-2012 (**Box 3**), rates have been on the rise again since 2013 to equal 19.5% of Honduras’ GDP in 2017 (**Box 4**).

Box 3: Remittances, Inflows % of GDP FY-2000-2013^V

2005	2006	2007	2008	2009	2010	2011	2012	2013
18.7	21.4	21.0	20.3	17.0	16.5	15.9	15.7	16.9

Box 4: Remittances to Honduras, 2017 growth (U.S.\$,000,000)^{VI}

Remittance Inflows			Percentage Growth		Remittances as Percentage of GDP
2015	2016	2017est.	2016	2017	
3,651	3,847	4,331	5%	13%	19.5%

In addition to remittances, the Honduran government continues to rely on outside investment, aid and debt relief assistance for state-building and citizen security efforts due in part to Honduras’ weak institutions and inability to collect tax revenue.⁷⁶ As an example, general government debt is cited as an economic fragility risk indicator and Honduras’ general government debt has been historically high despite significant assistance in international debt relief (**Box 5**).⁷⁷

Box 5: IMF General Government Debt as a Percentage of GDP^{VII}

2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
62.679	57.225	40.343	24.721	22.973	27.510	30.663	32.134	35.181	45.711	46.463	46.805

However, it is important to note that in 2005 Honduras received \$1 billion in multilateral debt assistance from the Heavily Indebted Poor Countries (HIPC) programme which temporarily reduced general government debt from 2005-2007.⁷⁸ The HIPC programme was developed by the World Bank’s International Development Association (IDA) and International Monetary Fund’s (IMF) Poverty Reduction and Growth Facility.⁷⁹ Despite rates reaching a low in 2008, due largely to the 2007 economic crisis and the 2009 *coup d’État*, rates have risen since 2009 regardless of continued HIPC assistance.⁸⁰

^{VI} Box 4 Source: M. Orozco (2017), *Remittances to Latin America and the Caribbean in 2017*. Central Banks Data. INEC for Panama. <https://www.thedialogue.org/wp-content/uploads/2018/01/Remittances-2017-1.pdf>

^{VII} Box 5 Source: International Monetary Fund (2016), *General Government Debt as a Percentage of GDP: Honduras*. IMF. <http://www.imf.org/external/pubs/ft/weo/2016/02/weodata/weorept.aspx?sy=2000&ey=2008&scsm=1&ssd=1&sort=count ry&ds=.&br=1&pr1.x=58&pr1.y=12&c=268&s=GGXWDG NGDP&grp=0&a=>

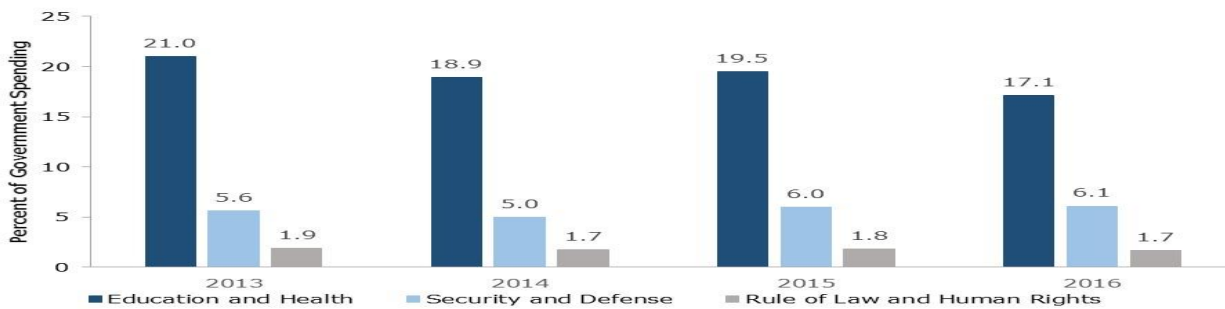
Honduras’ Human Development Index (HDI) as an economic fragility coping indicator improved coinciding with the steady period of neoliberal economic growth and debt reduction during Ricardo Maduro’s Presidency from 2002-2006 (**Box 6**). The HDI is used to measure human development averages along key dimensions in health, standard of living, and income but does not account for inequality across the population.⁸¹ Although Honduras’ HDI has demonstrated slight improvement, it remains amongst the lowest for Latin American and the Caribbean.

Box 6: Human Development Index (HDI) Honduras FY 2000-2014^{VIII}

Human Development Index (HDI)								
2015 HDI Rank	Country	2000	2005	2010	2011	2012	2013	2014
131	Honduras	0.557	0.584	0.61	0.612	0.607	0.604	0.606

Furthermore, the small allocation of social spending for rule of law and human rights programmes highlights Honduras’ inadequate investment in anti-corruption and fragility coping mechanisms (**Box7**).⁸²

Box 7: Honduras Social Spending vs. Security Spending^{IX}



As an economic fragility risk, GDP growth rate improved slightly by an average of 5.7% during Manuel Zelaya’s 2006-2008 Presidency and maintained an average growth of 3.6% from 2010-2013 (**Box 8**).^X According to the Economic Commission for Latin America and the Caribbean, Honduras’ GDP growth was 3.4% in 2017. This differs from the World Bank’s calculation of 3.7% for 2015-2017.⁸⁴ However, despite stated economic growth 65% of Hondurans continue to live below the poverty line and 53% in extreme poverty – a statistic that has not changed since 2005.⁸⁵

Box 8: Central America: Average Annual GDP Growth^{X8}

Central America: Average Annual GDP Growth				
	2003-2005	2006-2008	2009	2010-2013
Costa Rica	5.5%	6.4%	-1.0%	4.5%
El Salvador	2.6%	3.0%	-3.1%	1.8%
Guatemala	3.0%	5.0%	0.5%	3.3%
Honduras	5.6%	5.7%	-2.4%	3.6%
Nicaragua	4.0%	4.4%	-2.2%	4.6%

^{VIII} Box 6 Source: United Nations Development Programme (2015), *Honduras. Human Development Indicators*. Human Development Index. UNDP, <http://hdr.undp.org/en/countries/profiles/HND#>

^{IX} Box 7 Source: J. Wilson & J. Johnston (2017), *Honduras: Social and Economic Indicators since the 2009 Coup*. Secretaria de Finanzas. p.22 November 2017. <http://cepr.net/blogs/the-americas-blog/honduras-social-and-economic-indicators-since-the-2009coup>

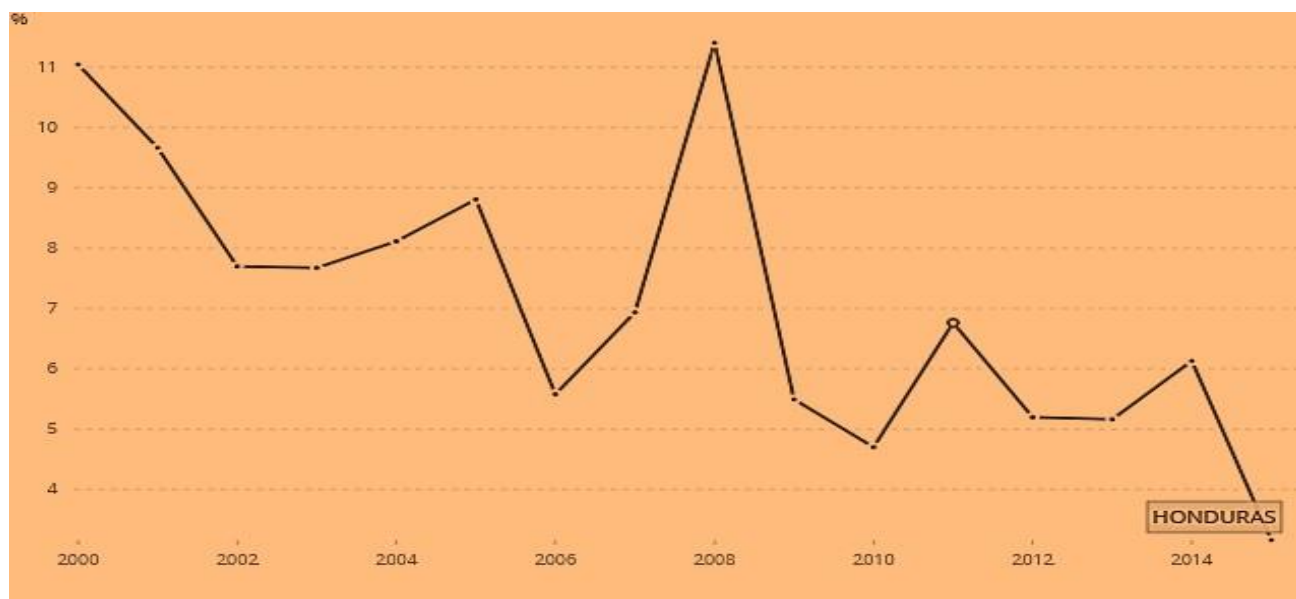
^X Box 8 Source: IMF as cited J. Wilson & J. Johnston (2017), *ibid*.

Those benefiting from Honduras high economic fragility, like Honduras' transnational élites, have reaped the majority of financial benefits from foreign business investment and remittances fuelling consumption in the élite-controlled service sector.⁸⁶ Neoliberal trade policies like the U.S. Central American Free Trade Agreement (CAFTA-DR) have had adverse effects for the local population where farmers unable to compete within the market were forced to sell land and migrate to urban areas. In addition, U.S.-Honduran conflict-insensitive investment policies post-Hurricane Mitch – like the 'Law to Incentivize Tourism' which exempted international fast food chains from paying taxes during the first 10 years of operation within Honduras – are cited as having increased unemployment by putting local restaurants out of business and contributing to increased obesity in the country, especially amongst youth.⁸⁷

Élites also direct the utilisation of resource rents within the country i.e. rents from oil, natural gas, coal (hard and soft), mineral and forest resources. High dependency on external resources and resource rents is stated to be a major risk factor for economic fragility. Honduras' natural resource rent is not particularly high; however, significant challenges to human rights arise when rents from natural resources and extractive industries are redistributed by corrupt political and business élites at the detriment of local communities. This redistribution promotes cycles of corruption and rent-seeking, as well as land grabbing and opening the state's economy to shocks in the global economic system.⁸⁸ Natural resource rents refer to oil, gas, minerals and forests; yet, water and energy are also central to clashes with indigenous groups and increases in human rights abuses. While the environmental health fragility indicator includes water, air, and sanitation from a health perspective, the extent of élite capture, abuse, economic control and the impact from a privatisation of utilities like energy and water requires further investigation and representation within the fragility framework.

Despite significant debt and aid assistance, Honduras' overall economy has struggled to recover from the 2007 global economic recession which was largely due to unethical business and lending practices of élites within the U.S. financial sector. The country has experienced periods of inflation volatility including periods of hyperinflation, which is cited as producing a negative effect on state's economic growth and political stability (**Box 9**).

Box 9: Honduras Inflation, Consumer Prices (annual %) International Financial Statistics & Data Files^{XI}



^{XI} Box 9 Source: International Monetary Fund (2016) *Inflation, Consumer Prices (annual%)*. *International Financial Statistics & Data Files. Overview per Country. Honduras*. World Bank Group: <http://data.worldbank.org/indicator/FP.CPI.TOTL.ZG?end=2015&locations=HN&start=2000&view=chart>

The combination of Honduras' high reliance on remittances, foreign economic aid, security assistance, inflation volatility, and corruption have complicated efforts to stabilise the country's economic growth, particularly for individual economic sustainability.⁹⁰ Under this economic fragility and weak governance structure, organised criminal groups and gangs were able to continue to expand their illicit operations. Vulnerable populations, like young men, remain disproportionately affected by the lack of economic opportunities and cycles of crime and violence. According to the World Bank, a country's percentage of youth and young adults between the ages of 15-29 who are not in education, employment, or training (NEET) is strongly correlated with violent criminal activity. Cited as an economic fragility risk, young men are seen as more likely to be recruited for illicit means if not engaged in a productive activity.⁹¹ Thus, many violence prevention and development strategies often target support for youth livelihood alternatives and engagement.

Statistics available from the International Labour Organisation (ILO) cite that the number of Honduran NEET almost doubled from 25.98% in 2007 to 42.28% in 2009 and remained almost constant at 41.43% in 2010.⁹² However, NEET data is sparse and is not disaggregated by gender or age. Alternatively, youth who choose not to engage in illicit activities migrate for safety and livelihood prospects.⁹³ While this population remains in need of protection and economic opportunities, the Honduran Government continues to respond with economic, political, societal, and security responses that marginalise Honduras' most vulnerable, protect the élite, and permit illicit activity. Thus, official policies do not often incorporate significant aspects of the drug, weapons, or human trafficking trade, despite estimations that the income derived from illicit activities supersedes the licit economy.⁹⁴ It has been documented that members of the economic élite sector not only provide legal services and protection for criminal organisations that operate the drug trade; members of drug-trafficking families continue to hold military positions and political offices.⁹⁵

Political Dimension

The lack of transparency in the economy is partly due to Honduran crimi-élite protection rackets that undermine rule of law and citizen security efforts by political, financial, and security means to protect their interests.⁹⁶ As an example, in 2005 upon his exit from office and under pressure from the U.S., President Ricardo Maduro implemented measures to address the high levels of corruption and drug trafficking in Honduras.⁹⁷ He established a new internal affairs office within the national police and removed impunity from some high-ranking officials.⁹⁸ However, these actions had little success in addressing rampant corruption. Élites not only continued to control Honduras' socio-economic and political arenas but also colluded with drug traffickers. Local transporters like the Cachiros, who began as Honduran cattle rustlers, had been fuelling corruption within the Honduran political system by bribing mayors, congressmen, and undermining police investigations.⁹⁹ Furthermore, the Cachiros backed land invasions against their business competition and killed illicit trafficking competitors.¹⁰⁰ By 2006, transnational Honduran élites like the Rosenthals, owners of the Continental Bank, had loaned the Cachiros money for businesses in cattle and milk. Although both Patricia and Jaime Rosenthal deny knowledge of the Cachiros connection to drug trafficking at that time, they have since been indicted on corruption and drug crimes.¹⁰¹

Reforms under Crimi-Legality

The 2006 election of President Manuel Zelaya signalled an interruption in the Honduran crimi-élite oligarchy and *status quo*. President Zelaya defeated his National Party rival Porfirio Lobo Sosa, candidate for the National Party (PNH Partido Nacional de Honduras) with 49.9% of the vote, a portion larger than in some western democracies like the U.S..¹⁰² When Zelaya entered office as a member of the workers and merchant Partido Liberal de Honduras (PLH) or Liberal Party he began pursuing populist

policies that targeted societal fragility risks like vertical inequality by raising the minimum wage, abolishing school fees, implementing agrarian reforms, and lowering prices on energy for low income Hondurans.¹⁰³ These policies consequently alienated him from the established norms and practices of some Honduran élites.¹⁰⁴ However, Zelaya – himself a member of the traditional land-based élite – was also aligned with the Rosenthal family as well as élites from the timber, tourist, biodiesel manufacturing, and thermal energy industries.¹⁰⁵

Despite Zelaya specifically pledging to end illegal logging and help support indigenous rights and land protection, ‘timber gangs’ continued to clash with indigenous environmental activists and human rights defenders, leaving 109 dead from 2002-2013.¹⁰⁶ As a part of this élite-controlled system, Zelaya was significantly challenged to address persisting corruption, crime, horizontal inequalities, and citizen insecurity. Horizontal inequalities, as a societal fragility risk, are cited as linked to political violence when social groups do not enjoy the same level of civil freedoms.¹⁰⁷

Zelaya attempted to address Honduras’ endemic corruption, a main contributing factor to the country’s political fragility, by ratifying the UN Convention Against Corruption on May 23, 2005 which went into effect on 14 December 2005.¹⁰⁸ He also passed the ‘Transparency Law’ to allow for public access to government affairs.¹⁰⁹ Conversely, critics claim the Transparency Law circumvents transparency by permitting public officials to easily reserve or restrict documentation like the amounts of humanitarian assistance and their specific allocations as well as only declassifying information after 10 years while permitting the open purging of documentation after 5 years.¹¹⁰

According to Transparency International’s Corruption Perception Index (CPI) score, corruption in Honduras decreased slightly during Zelaya’s administration from 2005-2008. The CPI is listed as a political fragility risk indicator which measures public and expert perceptions of corruption within the public sector. However, measuring actual corruption remains a significant challenge due to transparency and reporting issues reinforced by high rates of impunity. Surveys used to derive the index include questions of bribery of public officials, kickbacks in public expenditures, and embezzlement.¹¹¹ These corruption factors can highlight the perception of a government’s ability or inability to effectively use legislative restraint and executive power which are coping mechanisms for addressing political fragility and protecting citizen security and human rights.¹¹² However, Honduras’ demonstrated inability to address transparency issues, élite corruption, and provide citizen protection is partly due to the complexity of impunity within the country. More specifically, the state has been both ineffective and unwilling to prosecute offenders especially in cases when offenders reside at high levels of the government and society.

Citizen perceptions of corruption and insecurity are further reinforced by the crimi-legality of organised crime and élite protection, while individuals and institutions that represent voice and accountability as a political fragility coping mechanism are attacked within the country. The Honduran National Commissioner for Human Rights (CONADEH) stated that 50 journalists and media professionals were killed during 2003-2014, with 10 journalists killed in 2014 alone.¹¹³ For instance, German Antonio Rivas (reporter and television station owner), Carlos Alberto Salgado (journalist and radio comedian) and Fernando Gonzalez (announcer and radio station owner) were killed with unsolved cases from 2003-2007.¹¹⁴

Judicial restraint on executive power as a coping mechanism is also a significant challenge. Although justices have been suspended due to corruption and incompetence, those that investigate human rights abuses have received death threats and in some cases have been attacked.¹¹⁵ Furthermore, high levels of corruption and impunity have perpetuated human rights abuses by state actors through state-sanctioned or state-perpetrated violence on Honduran citizens. This state-sanctioned violence is characterised as political terror and is listed as a main contributing factor to political fragility as it deteriorates human rights protection, citizen security, and political safeguards due in part to the penetration and embeddedness of corruption in key governmental institutions.¹¹⁶ The

Political Terror Scale (PTS) (**Box 10**) which was developed to characterise levels of state-sponsored violations on civilians and measure levels of violations of human rights, rates Honduras as a 3 out of 5 for the majority of years during 2005-2016.¹¹⁷ In particular, the Political Terror Scale refers to terror as state-sponsored ‘killings, torture, disappearances and political imprisonment’.¹¹⁸ In 2006 alone, CONADEH logged 9,390 complaints of human rights abuses ‘including illegal detentions, abuses of authority and due process violations’ against the Honduran police or military; however, allegations were also brought against justice officials.¹¹⁹

Box 10: Political Terror Scale Levels^{xii}

Level	Interpretation
1	Countries under a secure rule of law, people are not imprisoned for their views, and torture is rare or exceptional. Political murders are extremely rare.
2	There is a limited amount of imprisonment for nonviolent political activity. However, few persons are affected, torture and beatings are exceptional. Political murder is rare.
3	There is extensive political imprisonment, or a recent history of such imprisonment. Execution or other political murders and brutality may be common. Unlimited detention, with or without a trial, for political views is accepted.
4	Civil and political rights violations have expanded to large numbers of the population. Murders, disappearances, and torture are a common part of life. In spite of its generality, on this level terror affects those who interest themselves in politics or ideas.
5	Terror has expanded to the whole population. The leaders of these societies place no limits on the means or thoroughness with which they pursue personal or ideological goals.

Security Dimension

Despite evidence of state-perpetrated and multi-dimensional violence within the country, measurements of violent deaths are primarily evaluated utilising intentional homicide as a primary indicator. An intentional homicide occurs when a ‘perpetrator aims to cause the death of a victim whether through: interpersonal violence, domestic disputes, violent conflict over natural resources, inter-gang territorial clashes, predatory violence, or killings by armed groups’.¹²⁰ As a principal component of security fragility, the United Nations Office on Drugs & Crime’s (UNODC) intentional homicide rate, the number of homicides per 100,000 of population, is listed as a primary risk. While homicide is an important indicator to understand the levels of direct violence affecting a population, it is essential for indices to recognise variations when homicide rates have decreased yet other forms of direct violence e.g. armed robbery, sexual assault, kidnappings remain extremely high, like in Honduras.¹²¹

The levels of violent criminal activity is also listed as a security fragility risk indicator including the intensity of violent activities of underground political organisations i.e. drug trafficking, arms trafficking and prostitution.¹²² Issues with transparency, high rates of impunity and lack of access to information

^{xii} Box 10 Source: M. Gibney, L. Cornett, R. Wood, P. Haschke & D. Arnon (2016), *The Political Terror Scale. Documentation: Coding Rules. Measuring the Levels of State Perpetrated Human Rights Violations*. *ibid*.

make assessing the levels of violent criminal activity in Honduras a significant yet essential challenge. Alternatively, reductions in crime rates may not lead to perceptions of personal security for individuals when evidence of insecurity and structural violence remain unchanged, such as flagrant human rights abuses and stark social inequality. This is substantial as high inequality and poverty can lead vulnerable populations to become dependent on illicit alternatives like drug trafficking for livelihood sustainment.

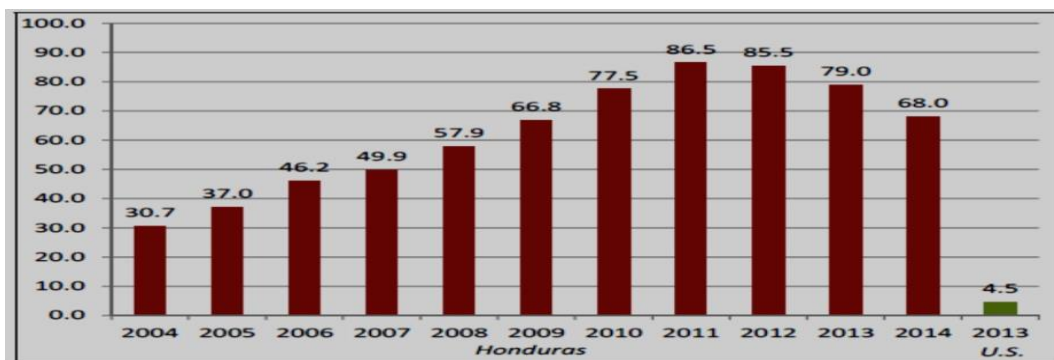
Countering Drugs and Gangs

Insensitive to failed counternarcotic approaches, the US continued to lead and finance Honduran drug policy responses throughout 2004-2014.¹²³ Aligned with the US counternarcotic strategy, both Maduro and Zelaya led a ‘mano dura’ or ‘iron fist’ approach to addressing gang violence, drug trafficking and organised crime.¹²⁴ This iron fist approach combined with the strict anti-gang or ‘anti-mara’ law in 2001 created a climate of social discord, especially because gangs had already become institutionalised in Honduran neighbourhoods, in some cases protected by local communities.¹²⁵ Disconcertingly the anti-gang law does not specify what constitutes gang membership and gang identification methods have evolved. As a consequence, police and security forces have issued false positives where individuals have been wrongfully accused of gang affiliation.¹²⁶

In addition to the anti-gang law, the Honduran Government also renewed its drug policy and anti-corruption efforts by ratifying the U.N. Convention Against Transnational Organized Crime on 2 December 2003 and U.N. Convention Against Corruption on 23 May 2005, building on the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances ratified in 1991.¹²⁷ However, hard-lined approaches and international polices did little in practice to thwart the scope of illicit activities and crimi-élite corruption. With the implementation of iron fist strategies, gang recruitment and operations increased in part due to Honduras’ overcrowded and weak penal system.¹²⁸ Social cleansing also took place as vigilante groups attempted to address the gang problem.¹²⁹ Powerful gangs like the MS-13 and *Barrio 18* gangs engaged in a deadly territorial war incorporating extortion rackets, torture and drug-trafficking into their operations.¹³⁰ However, it is difficult to quantify the exact level of gang-related violence and deaths in Honduras due to issues in reporting.¹³¹

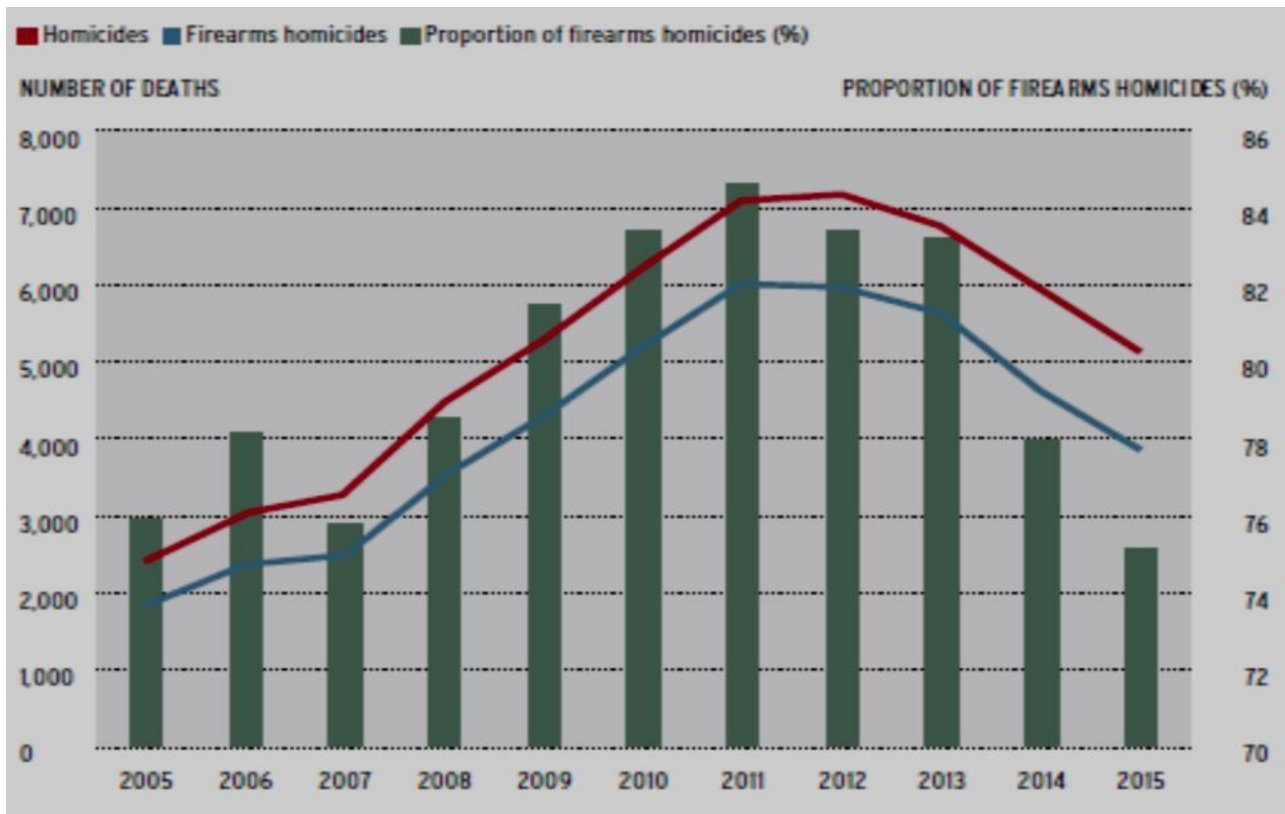
Although many smaller drug trafficking organisations operated in Honduras throughout the 2000s, in 2006 the Mexican ‘War on Drugs’ produced a balloon effect: Mexican drug trafficking organisations, like the Sinaloa Cartel and the Zetas, prioritised drug trafficking routes through and increased their operations in Honduras’ socio-economic and political spheres.¹³² While exact homicide rates vary, it is clear that the effect promoted an increase in intentional homicides.¹³³ According to the UNAH Observatory of Violence, from 2004-2008 the intentional homicide rate in Honduras almost doubled (**Box 11**).

Box 11: Homicide Rate in Honduras: 2004-2014 per 100,000 Residents^{XIII}



^{XIII} Box 11 Source: Observatory of Violence National Autonomous University of Honduras (UNAH) as cited in P. Meyer (2015). *Honduras: Background and U.S. Relations*. *ibid*.

Box 12: Homicides, Firearms Homicides & Proportion of Homicides Committed with Firearms FY-2005-2015^{XIV}



In order to address violence and citizen insecurity, increasing the number of police officers is often a primary goal of security sector reform. As a security fragility coping mechanism, the specific capacity of the police forces is measured by the number of police officers per 100,000 of the population. While the number of police officers is important, the OECD framework does not effectively incorporate the quality of police reforms including training, recruitment, promotion, and police-community relations which are essential factors to understanding and promoting local citizen security. As an example of inadequate policy, although Zelaya’s police reforms increased the numbers of the national police from 7,000 in 2005 to 13,500 in 2008, his policies were inadequate at addressing loopholes in the system. He passed an ‘Organic Police Law’ to strengthen internal affairs and policing units. However, the law required drug testing of police, but was only applied to police considering a promotion.¹³⁸

The state’s inability to address police reform, crimi-élite corruption, organised crime, and gang violence particularly affected vulnerable youth, women, LGBT, human rights defenders and humanitarian responders.¹³⁹ Particularly, the pervasiveness of gang culture and initiation practices combined with iron fist counternarcotic policies aimed to suppress crime and violence, has affected young people in Honduras’ urban centres.¹⁴⁰ Between 1998 and June 2006, 3,674 children and youth were killed with 34% under the age of 18 years.¹⁴¹ This number increased to 3,943 by 2007 with victims demonstrating increasing signs of torture.¹⁴² Historically registered cases of deaths or executions of youth have increased since 1988, indicating that youth have long lacked effective citizen security and protection in Honduras (**Box 13**).

^{XIV} Box 12 Source: M. Nowak (2016). *Measuring Illicit Arms Flows: Honduras*. Small Arms Survey. [Research Notes N. 62]. Small Arms Survey. http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-62.pdf

^{XV} Box 13 Source: Observatory on the Rights of Children, Girls and Young People in Honduras (2017). ‘Monthly Report on the Situation of the Rights of Children and Youth in Honduras’ (December 2017), see: <http://www.casaalianza.org.hn/images/documentos/CAH.2017/1.Inf.Mensuales/12.%20informe%20mensual%20diciembre%202017.pdf>

Box 13: Monthly Averages of Violent Deaths & Arbitrary Executions of Youth FY 1998-2017^{xv}

Administration	Period	No. of months	Registered Cases	Monthly Average
Carlos Flores	(February 1998 - January 2002)	48	1,019	21.23
Ricardo Maduro	(February 2002 -January 2006)	48	1,976	41.17
Manuel Zelaya	(February 2006 – June 2009)	41	1,781	43.44
Roberto Micheletti Bain	(July 2009 – January 2010)	7	447	63.86
Porfirio Lobo Sosa	(February 2010 – January 2014)	48	3,891	81.06
Juan Orlando Hernández	(January 2014 - November 2017)	47	3,171	67.46
TOTAL		239	12,285	51.40

While the majority of violent deaths in Honduras are male, in 2006 the Committee on the Elimination of Discrimination against Women discussed the prevalence of gender based violence (GBV) against women, including the sexual abuse of women and girls, incest, rape, domestic violence and femicide.¹⁴³ Femicide is defined as the gender-motivated killing of women.¹⁴⁴ Honduran women have highlighted that the normalisation of GBV is due to the macho culture that negatively affects their freedoms.¹⁴⁵ According to multiple women’s rights organisations, the number of women violently killed increased 263.4% from 2005-2013.¹⁴⁶ Police reports also cited an increase from 42.35 to 52.65 cases of sexual violence out of 100,000 people from 2006-2010.¹⁴⁷ These figures are likely to be underreported due to fears of retaliation and high rates of impunity within the country. Additionally, there were 725 femicides recorded between 2003-2007 occurring largely in urban gang-controlled territory with no police or security forces protection.¹⁴⁸ Young women have also been killed in gang disputes as retaliation.¹⁴⁹ As a result of a lack of protection, threatened or abused women have been forcefully displaced; yet, when they flee they are also at risk of being subjected to illicit human trafficking, transnational sexual abuse and captivity.¹⁵⁰ However, evidence confirms that women and young females join and contribute to illicit activities and gangs by hiding weapons, participating in sex initiation rituals, and running drugs and money.¹⁵¹

While the wealthier enclaves of Honduran society contract private security and build walls, young men and women in the poorer urban neighbourhoods become the most vulnerable targets for gang recruitment and/or abuse.¹⁵² Hondurans not wanting to be exploited or threatened decide to flee as gang members and organised criminals are well known to stalk, beat, rape, dismember and murder Honduran citizens with impunity and threaten their families.¹⁵³

Societal Dimension

The victimisation and violence in Honduras transcends gender and social boundaries. Violence conducted by state and non-state actors is cited as being partially fuelled by high gender and horizontal inequality as societal fragility risks that exist within the country, continuing to privilege masculine regimes and social norms, while normalising violence against those marginalised by society.¹⁵⁴ The UNDP Gender Inequality Index (GII) captures societal fragility risk in gender inequality by measuring features of human development on a scale of 0 to 1. Measured factors include reproductive health, empowerment, and economic status to expose differences in achievements of men and women. The GII measures

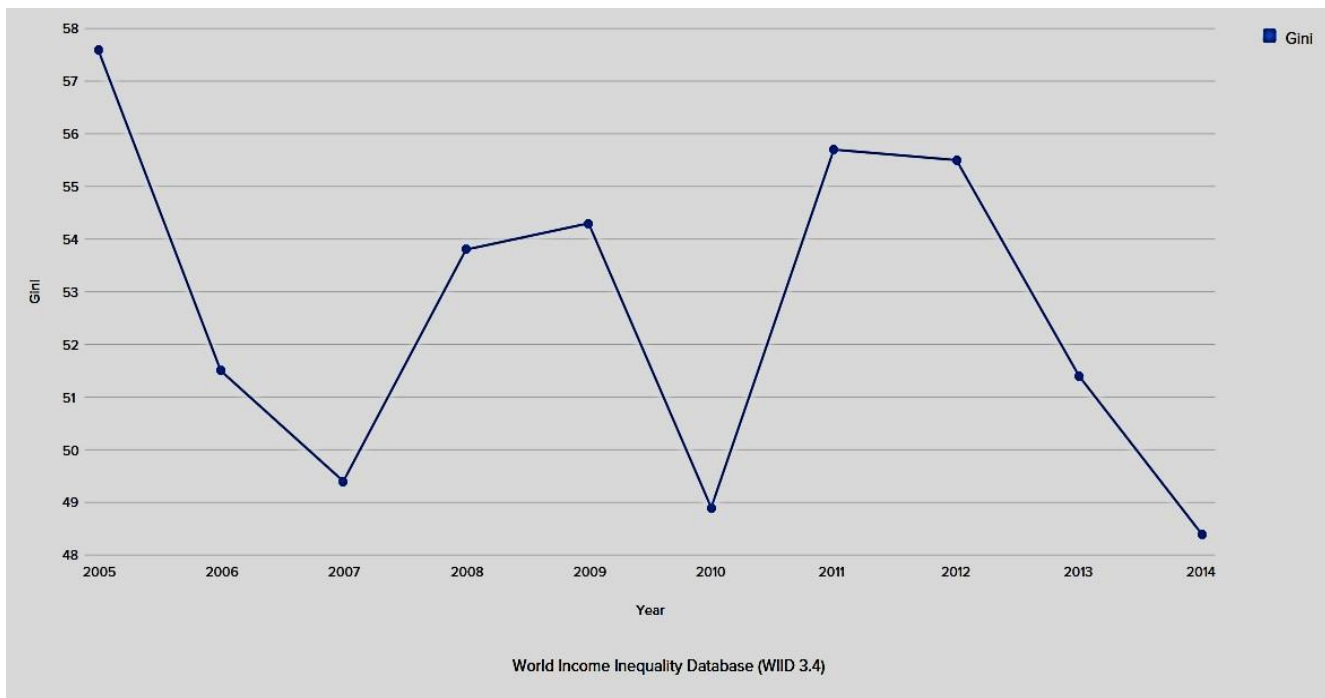
‘reproductive health, measured by maternal mortality ratio and adolescent birth rates; empowerment, measured by proportion of parliamentary seats occupied by females and proportion of adult females and males aged 25 years and older with at least some secondary education; and economic status, expressed as labour market participation and measured by the labour force participation rate of female and male populations aged 15 years and older’.¹⁵⁵ Honduras’ GII indicator has been consistently high, citing a loss in human development and the disparity between females and males within the country (**Box 14**).

Box 14: Honduras Gender Inequality Index FY-2000-2014^{XVI}

2000	2005	2010	2011	2012	2013	2014	2015
0.547	0.515	0.513	0.504	0.495	NA	0.466	0.461

In addition, high income inequality is a main component of societal fragility where inequality can be measured through market-based gross income or disposable income available after taxes or transfers.¹⁵⁶ The United Nations University’s UNU-WIDER World Income Inequality Database (WIID) is utilised to capture the societal fragility risk of vertical inequality through its Gini coefficient. The WIID highlights that smaller Gini coefficients are associated with a more equitable distribution of income in a society.¹⁵⁷ While there is a demonstrated overall decline in Honduras’ Gini coefficient from 2002-2010, it remains high (**Box 15 over leaf**). Furthermore, inequitable power sharing, corruption, lack of inclusion and lack of trust remain significant contributing factors to horizontal inequality which is linked to communal violence and breakdowns of social cohesion, leading many to seek alternatives for livelihood sustainment and protection.

Box 15: Honduras Gini Coefficient World Income Inequality Database (WIID 3.3) FY-2005-2014^{XVII}



^{XVI} Box 14 Source: United Nations Development Programme (2017). *Honduras. Human Development Reports. Gender Inequality Index (GII)*. <http://hdr.undp.org/en/indicators/68606>

^{XVII} Box 15 Source: United Nations University (2017). *World Income Inequality Database (WIID3.4). Data Query and Visualization*. <https://www4.wider.unu.edu/#?indicators=Gini&chartType=Line&countries=hn&years=2014,2013,2012,2011,2010,2009,2008,2007,2006,2005&estimations=0>

Urbanisation growth also is considered a societal fragility risk and by 2010 50% of the Honduran population was living in urban areas. In particular, the number of uprooted people is cited as a main contributing risk for societal fragility and is defined as the combination of refugees, returned refugees, and internally displaced persons (IDPs).¹⁵⁸ IDPs are commonly referred to as persons or groups who have been forced to flee their places of residence and have not crossed national borders due to effects of armed conflict, generalised violence, human rights violations, or natural or human-made disasters.¹⁵⁹

According to a Honduran governmental study from 2004-2014, it is estimated that 174,000 Hondurans were IDPs out of 20 municipalities.¹⁶⁰ Despite the UN Guiding Principles on Internal Displacement which cite that ‘every human being has the right to life... protected by law against: genocide, murder, arbitrary executions, enforced disappearances, including abduction, detention or threats... as well as human rights and protection’, a study by the Inter-Agency Commission for the Protection of Persons Displaced by Violence found that 90% of the sample households surveyed in Honduras had been displaced by violence.¹⁶¹ Highlighted reasons for continued Honduran migration are cited as threats from criminal violence, lack of protection and lack of economic mobility and advancement.¹⁶² Many Hondurans are also cited as migrating due to safety from intra-familial violence, including child abuse and incest.¹⁶³

State institutions have been unable to appropriately respond to victims’ basic needs for health care, protection, education, justice and livelihood assistance.¹⁶⁴ The normalisation of crime and corruption has also negatively affected humanitarian safeguards and the protection of organisations that are the primary providers of humanitarian aid. Humanitarian responders providing assistance to both perpetrators and victims are increasingly put in insecure and difficult positions. As an example, after allegedly refusing to pay extortion, the president of a leading humanitarian organisation was shot in 2007.¹⁶⁵ Furthermore, cooperation with policing and military units considered heavily corrupt and connected to illicit activities poses a significant issue for humanitarian and development agencies, especially during times of increased political instability. While fragility indicators aim to incorporate the structural issues impeding development, the nuances of the effect of corruption on local operations remains insufficiently represented. Section 5 discusses in more detail how Honduras’ fragile situation was exacerbated during and following the 2009 coup d’état affecting human rights and citizen security.

Section 5: Reconsolidation of Crimi-Élite Power During and Post-Coup d’État

Overview: ‘Coup d’État’

The 28 June 2009 coup d’État would lead Honduras toward one of the largest political crises the country has ever experienced. Prior to the coup, Honduras’ political system was fragmented with polarisation, political intolerance and a tendency to resort to third party mediators to resolve conflicts.¹⁶⁶ The primary trigger cited as leading to the coup was Zelaya’s decision to push for a civic consultation permitting a fourth ballot box in the general elections.¹⁶⁷ Conservative members of the military and Honduran élite were cited as having objected to Zelaya’s populist policies.¹⁶⁸

At the time, re-election was against the Honduran Constitution and the Honduran ‘Attorney General, Supreme Court of Justice and Supreme Electoral Tribunal (TSE)’ opposed Zelaya’s decision.¹⁶⁹ However, additional causes highlight the firing of General Romeo Vasquez Velasquez (Head of Joint Chiefs of Staff) for rejecting an executive order, and claims that Zelaya wanted to instill communism due to his close affiliation with the Latin American Nations with Bolivarian Alternative (ALBA), Fidel Castro, and Hugo Chavez.¹⁷⁰ Also, under the 1982 Honduran constitution, the Honduran president must convey Presidential orders to the armed forces, and may not remove or select the head of the armed forces.¹⁷¹

Zelaya contends that the coup was orchestrated by a combination of Honduran élites and right-wing U.S. officials including ex-Under Secretary of State Roger Noriega, Robert Carmona, and a Central

Intelligence Agency (CIA) founded group called the Arcadia Foundation, in part due to his refusal to provide political asylum to Luis Posada Carriles, a claimed former U.S. CIA agent.¹⁷² Carriles was implicated in the plot to kill Fidel Castro and the suitcase bombing of a Cuban airline jet in 1976. In 2005, the U.S. refused extradition requests by Cuba and Venezuela.¹⁷³

During the coup, the Micheletti administration launched a media campaign claiming that Zelaya was involved in drug trafficking and requested an arrest warrant from the International Police Organisation (INTERPOL).¹⁷⁴ However, the INTERPOL General Secretariat responded that they would not issue a Red Notice or international wanted persons notice for Zelaya as the charges of 'misuse of authority, usurpation of public functions, offences against the system of government, and treason' were determined to be political rather than criminal.¹⁷⁵ Yet, while under a court order from the Honduran National Congress, the Armed Forces removed Zelaya from his home in Honduras to Costa Rica and placed Roberto Micheletti – the presiding officer of the Congress – into the presidency through a constitutional succession.¹⁷⁶ According to Honduran legal observers, the actions of the Honduran National Congress were unconstitutional.¹⁷⁷ The coup was internationally condemned by governments in Latin American, Organisation of American States (OAS), U.S. and Canada, as well as criticised by the European Union (E.6.U).¹⁷⁸

While the newly appointed U.S. President Barack Obama immediately condemned the coup, the U.S. only cancelled visas of Honduran leaders two months later and suspended a significant portion of non-humanitarian assistance. The U.S. did not use trade sanctions which would have applied more pressure.¹⁷⁹ In 2015, leaked emails demonstrated that the U.S. State Department under Secretary Clinton circumvented the involvement of the OAS to mediate the political crisis. If the coup d'état had been recognised as such, the U.S. would have been required to terminate aid to Honduras. However, a loophole in the Consolidated Appropriations Act (P.L 111-117) stated 'military coups' not 'coup d'état' at the time in which the U.S. Department of State conferred that a termination of assistance was not required.¹⁸⁰ This provision has since been changed to reflect coup d'états, although officials were concerned about the unintended limitation in the title.¹⁸¹ After attempts to garner a solution by the Costa Rican President Oscar Arias had been unsuccessful, a 'high-level U.S. delegation persuaded Zelaya and Micheletti to sign the Tegucigalpa-San Jose accord to establish a unity and reconciliation government and reinstate Zelaya if the Honduran Congress produced a favourable vote'.¹⁸² The Tegucigalpa-San Jose accord's main features include the establishment of a national unity government, National Congress vote on Zelaya's return to the presidency, support for the November elections and the creation of a Verification Commission.¹⁸³ Although the agreement was signed, it was not fulfilled.¹⁸⁴

Increase in Citizen Insecurity

During the coup and immediate aftermath, counternarcotic functions continued to a lesser degree, but Micheletti's express priorities were to maintain control of the population and prepare for the election transition. On 30 June 2009 Micheletti declared a state of siege (Executive Decree 011-2009) that enforced curfews and restricted civic freedom of movement, expression, and assembly.¹⁸⁵ Shortly after, he enacted a second decree (Executive Decree PCM-M-0162009) which further infringed on citizen security, civil liberties and human rights by permitting arbitrary detentions, suspension of the press and the closure of two opposition media outlets.¹⁸⁶ Despite criticism from some political élites and the reversal of the siege declaration, Micheletti's oppressive population control strategy continued, raising Honduras' political terror in 2009.¹⁸⁷

In particular, two investigations by the Inter-American Commission on Human Rights (IACHR) and the Office of the High Commissioner for Human Rights (OHCHR) - conducted August-November 2009 confirmed shootings, beatings, torture and killings of public demonstrators by police and military.¹⁸⁸ According to the International Criminal Court (ICC), alleged killings were from 'excessive and

disproportionate use of force by security forces during demonstrations, curfews, and from alleged targeted killings of selected members of the opposition to the de facto regime'.¹⁸⁹ Military and police were also cited as raiding the offices of the National Agrarian Institute and also firing tear gas into the office of the Committee of Relatives of the Disappeared in Honduras (COFADEH).¹⁹⁰ These increases to citizen insecurity are partially reflected in the intentional homicide rate increase from 50% in 2007 to 81.8 % in 2010 per 100,000 people.¹⁹¹ Additional cases of rape, sexual violence, and harassment also occurred during coup demonstrations and detentions, with some police officers and military identified as the perpetrators.¹⁹²

Regardless of flagrant citizen insecurity, an evaluation by the ICC determined the coup d'état to be a 'borderline case' that did not meet the thresholds of the Rome Statute's legal requirements to be considered a crime against humanity.¹⁹³ The ICC largely considered time span, legality, and applicability under Article 7 Elements of Crimes for their determination.¹⁹⁴ Though the U.S. Ambassador Hugo Llorens had concerns with the illegality of the coup, the U.S. moved to stabilise the country by encouraging the OAS to support the new elections amidst violent public protests, human rights abuses, and killings of civilians by security forces.¹⁹⁵ Thus, demonstrating the incongruence of U.S. political actions, which simultaneously promoted human rights and democratic reforms, yet did not act to uphold protections for Honduran citizens.

Deaths and Drugs

The 2009 coup d'État caused significant political and social upheaval in Honduras. State fragility and citizen insecurity increased in part due to the redirection of Honduran military and police resources toward population control measures. The economic impact of the coup and the broader world economic crisis was seen in the drastically reduced annual GDP growth to -2.4% in 2009.¹⁹⁶ In turn, the increase of drugs available during what was stated as the 'cocaine gold rush' also affected individual environmental health fragility, promoting increases in local consumption.¹⁹⁷ The radical pause in the economy permitted an opening for drug trafficking organisations to expand operations. Furthermore, the redirection of state resources, combined with the embeddedness of corruption within the Honduran police, significantly decreased the government's ability to counter illicit trafficking.¹⁹⁸ In particular, corrupt police and drug traffickers were able to take advantage of the exacerbated political fragility to clear opposition by assassinating counternarcotic officials who had publicly denounced police involvement in organised crime, including those associated with the Sinaloa cartel.¹⁹⁹ In December 2009, the Head of Honduras' Office to Fight Drug Trafficking, Julián Arístides González Irías, was assassinated by low-ranking police officers while stopped at a red light in Tegucigalpa.²⁰⁰ The Honduran Human Rights Unit specifically cited a lack of cooperation by the Honduran military and police in their investigations, including the failure to turn over firearms for ballistics tests and resistance in identifying police officers during murder and human rights abuse investigations.²⁰¹ Additionally, continued high impunity and lack of political will obstructed prosecutions of the perpetrators.²⁰²

While the arrests of El Salvadoran drug trafficker, Reimerio de Jesus Flores Lazo and Syrian international arms dealer Jamal Yousef were cited as successes by Honduran counternarcotic units and the U.S. Drug Enforcement Agency, organised criminal groups took advantage of the lack of state presence and were able to expand operations.²⁰³ With the assistance of the U.S., the Honduran Government seized 6.6 tons of cocaine, 2,795 tones of crack cocaine, 923 kilos of marijuana, 13 ounces and 60 capsules of heroin, and 2.8 million pseudoephedrine pills in 2009.²⁰⁴ However, despite drug seizures an estimated 500-1,000 tons of cocaine were trafficked through Honduras largely by the Sinaloa cartel and the Zetas.²⁰⁵ Thus, the millions of dollars vested in counternarcotic efforts did little to curb drug trafficking in the country.²⁰⁶ In addition to drug trafficking, the Zetas kidnapped Hondurans traveling on the route to the U.S. in exchange for ransom, while also forcing migrants to assist in drug

trafficking operations.²⁰⁷ Furthermore, intensified territorial clashes over drug trafficking routes amplified gang violence and citizen insecurity.²⁰⁸

Restructuring Political Power

Shortly after his instatement, Micheletti announced a new cabinet, governmental strategy, and passed the 2009 budget. This budget included a 10% budget cut to the central government and a 20% cut to decentralised state entities due to loss of international funding support.²⁰⁹ In preparation for the November elections, Micheletti immediately annulled over 12 decrees and reforms made during Zelaya's term.²¹⁰ As an example, Micheletti withdrew Honduras' membership in the Bolivarian Alliance despite prior ratification by the National Congress.²¹¹ Micheletti also met with Honduran élites to negotiate and organise the transition of the government.²¹² Sources cite 'Carlos Roberto Facussé, José Rafael Ferrari, Juan Canahuati, Camilo Atala, José Lamas, Fredy Násser, Jacobo Kattán, Guillermo Lippman, Rafael Flores, Jorge Canahuati Larach and Ricardo Maduro Joest as part of the élite network behind the coup.²¹³

Following the coup, new political opposition parties emerged including the National Popular Resistance Front (Frente Nacional de Resistencia Popular), the Popular Bloc (Bloque Popular), and the National Coordinator of Popular Resistance (Coordinadora Nacional de Resistencia Popular) who protested the de facto regime. Despite protests, Porfirio Lobo Sosa, a wealthy landowner and Zelaya's former opponent in the National Party, was inaugurated on 27 January 2010.²¹⁴ The U.S. supported the elections; however, since no independent observers like the OAS, E.U. and Carter Center were included, it is therefore widely argued that the 2009 election was neither fair nor transparent.²¹⁵ As part of the post-coup reconciliation efforts, Lobo endorsed an amnesty decree for Zelaya and all persons involved in the 2009 coup, excluding human rights offenders, while calling for a U.N. commission against corruption similar to the Commission Against Impunity in Guatemala.²¹⁶ In 2010, Lobo created a Truth and Reconciliation Commission (*Comisión de la Verdad y Reconciliación*) to investigate actions during the de facto government; Honduran civil society organisations created a separate commission.²¹⁷ However, human rights violations and impunity remained the norm. According to the Human Rights Unit of the Attorney General's Office, the significant lack of progress in prosecution cases was due to continuing issues of cooperation with state institutions and security forces, limited resources, lack of investigative capacity, witness protection and judicial independence.²¹⁸

Restructuring Security

Under Lobo's administration and with Juan Orlando Hernandez Alvarado leading the National Congress, the restructuring of Honduran national and public security functions began with the removal of Honduran Security Minister Oscar Alvarez and the launch of a new security strategy in 2011.²¹⁹ Under the new security strategy anticrime, violence, and counternarcotic initiatives would consolidate and intensify. The strategy included the merger of the Honduran Defence and Security Ministries and the temporary authorisation of the Honduran military to assist police reforms, community policing, prison reforms and anti-gang and crime operations.²²⁰ A new National Defence and Security Council was formed that violated a separation of powers as the President and his minister, head of Congress, defence and security ministers, Chief Justice of the Supreme Court and the Attorney-General were appointed with legal protection and the capability to control electronic surveillance.²²¹ In 2011, a specific law on wiretapping was also passed. While the law includes a requirement for a court order, many citizens continue to cite fears of abuse and insist on non-electronic communication regarding public matters.²²² Honduras also passed an anti-terrorism financing law in 2010 which requires nongovernmental organisations to report all donations over \$2,000 and organisations have cited that it has been used selectively for suppression.²²³

Conflict-insensitive to Honduras' crimi-élite operating system, the U.S. is cited as having encouraged Central American governments to impose a special security tax to pay for policing and counter-narcotic measures.²²⁴ The Honduran Ministry of Security passed a 'population security tax' in 2011 with the aim to increase financial assistance for security measures like police and prison reform.²²⁵ However, when the security tax was approved, élites also successfully advocated for mining export tax cuts that reduced the tax funding originally proposed by former Security Minister Alvarez.²²⁶ The security tax is in addition to the allocated budget for the Security and Defence Ministries. Human rights organisations in the country have stated that there has been a lack of transparency and information sharing of how the \$260 million and 30% prevention budget collected in 2012 was spent due to an enacted law for classifying documents.

In 2013, while still president of the National Party controlled Congress, Juan Orlando Hernandez Alvarado approved the 2014 budget, increased government revenues, and expanded the power of the presidency.²²⁷ Subsequently, on January 27, 2014 Hernandez was inaugurated as president.²²⁸ In January 2014, the Honduran Congress passed the Law for the Classification of Public Documents or the 'Law of Secrets'.²²⁹ In addition, the Hernandez administration also established the National Defence and Security Council's 069/2014 Resolution in July 2014 classifying information within powerful state public and private institutions including the 'Supreme Court of Justice, Secretariat of the Interior Security and National Police Directorate, Office of the Public Prosecutor for Drug Trafficking, National Bureau of Investigation and Intelligence, Armed Forces Strategic Investigation Agency, Ministry of the Interior Foreign Affairs and International Cooperation Directorate, National Migration Institute, Executive Revenue Agency, National Registry of People, Social Security Institute of Honduras, Property Institute, Financial Intelligence Unit for the Bank and Securities Commission, Merchant Marines, Aviation Authority, National Electric Power Firm, and Autonomous National Service of Aqueducts'.²³⁰

The Law of Secrets is highly significant as it permits the Honduran government to classify public information regarding security and defence activities for 5, 10, 15, and 25 years.²³¹ Critics of the Law of Secrets state that it undermines a 2006 Transparency Law by taking away the function of the autonomous Institute for Access to Public Information (IAIP) to classify documents and transfers several responsibilities to the National Security and Defence Council.²³² The law also does not define what is deemed as national security, opening opportunity for the government to interpret what can be classified as 'reserved, confidential, secret, or ultra-secret'.²³³ The law was originally blocked by the Honduran Community Media Association (AMCH) and international organisations due to concerns of human rights violations; however, it passed without any parliamentary archives or audio records.²³⁴ Human rights experts highlight that because the statute of limitation in Honduras is 25 years, corrupt officials can classify evidence of their illicit activity for 25 years as ultra-secret and essentially avoid prosecution.²³⁵ Furthermore, the law impedes fragility coping mechanisms of voice, accountability and access to justice, as the broad classification prevents investigators from requesting, evaluating and sharing documentation, interestingly on how the country's security and development assistance is spent.²³⁶

Although Hernandez's government has initiated Action Plan 2014-2016, including an Open Budget Initiative (OBI) at national and municipal levels, and implemented governmental platforms like the National Centre for Social Sector Information or *Centro Nacional de Información del Sector Social* (CENISS), accurate reporting of expenditures and assistance remains superficial and is thus a significant challenge.²³⁷ The lack of transparency from Honduran executive and security institutions undermines state-society relations and reinforces a climate of judicial restraint and élite protection.

Restructuring Judicial Power

In 2011, the restructuring of the Honduran judicial system increased with the establishment of the National Council of the Judiciary (Legislative Decree 219-2011) given the authority to dismiss and appoint magistrates on the Courts of Appeals, judges and other personnel with judicial and

administrative functions.²³⁸ According to the IACHR, by 2014 the National Council had fired 29 judges and suspended 28 without clear legal guidelines for due process and disciplinary action.²³⁹ This was above the number of dismissed judges who participated in the 2009 criminal complaint against military and congressional members for their involvement in the coup. In December 2012, the Honduran Congress removed four of the five Constitutional Chamber justices who had previously declared the 'Police Purge Law' (Legislative Decree N. 89-2012) unconstitutional and were against the Model Cities programme.²⁴⁰ However, the unconstitutionality claimed by the judges was cited as regarding the ability to conduct polygraphs on the Honduran police force that would violate their basic rights.²⁴¹ The decision to remove the justices was not reversed despite the Honduran Minister of Justice and Human Rights declaring their removal as illegal and a threat to the independence of the judiciary.²⁴²

Increased Counternarcotic Operations and Militarisation

In 2012, the Honduran National Congress passed a new law to permit the U.S. to extradite Honduran nationals indicted on drug trafficking charges and terrorism charges.²⁴³ Under this law, Honduran agencies captured drug traffickers and assets from top 'Kingpins' like 'El Negro' Lobo and extradited them to the U.S. between 2013-2014.²⁴⁴ Conversely, in 2012 43.7% of the 32,464 Hondurans deported from the U.S. to Honduras had criminal records.²⁴⁵ Thus, repeating the pattern of U.S. deportation of criminals into weak Honduran justice and security institutions.

However, in order to address the high levels of violence and crime in the country, in August 2013 the National Congress used funding from the new security tax to pass legislation authorising the creation of a new Military Police of Public Order (PMOP).²⁴⁶ Since its implementation in October 2013, Hernandez has attempted to incorporate the PMOP into the Honduran constitution but has been unsuccessful due to opposition in the National Congress.²⁴⁷ However, the PMOP was given the authority to conduct policing functions like citizen protection and political arrests, despite prior human rights abuses and killings of civilians by military and police.²⁴⁸ Critics maintain that the PMOP lacks expertise in community policing and does not uphold strict human rights regulations.²⁴⁹ Furthermore, under Honduran law the PMOP is legally protected from prosecution by the Attorney-General's Office, thus establishing a permanent barrier to accountability and justice for citizens.²⁵⁰

The climate of impunity is so high in Honduras that according to the Honduran Alliance for Peace and Justice, less than 4% of murder cases resulted in a conviction in 2014.²⁵¹ In addition, military personnel are susceptible to illicit corruption through financial incentives, especially when they are stationed near areas with high drug trafficking under conditions of high impunity.²⁵²

The Honduran Government attributes citizen security improvement and the decreasing homicide rate in part to activities implemented by the PMOP. However, focusing largely on homicide rates is problematic. The temporary gang truce between MS-13 and Barrio 18 mediated largely by the Catholic Church also likely contributed to decreases in intentional homicides.²⁵³ Variations also exist between the lower figures of the Honduran Police Statistic System (SEPOL) and the higher figures of the Violence Observatory at UNAH and the Centre for Women's Rights.²⁵⁴ Despite slight improvement, violent death rates remain excessively high and many Hondurans continue to flee the country. The combined fragility factors of high impunity, high crime, violence, and a lack of judicial independence continue to undermine citizen security and human rights. Furthermore, the increased militarisation within the country has been cited as taking away necessary resources from police reform, community-based prevention programmes, development and humanitarian assistance to address the increased migration.²⁵⁵

By 2015, Honduras continued to be amongst the top 10 recipients of Overseas Development Assistance receiving \$590 million (three-year average) from OECD donors in addition to special debt relief.²⁵⁶ However, how this money was spent remains unclear. In addition, in 2015 the Ministry of Security's budget

was allocated \$236 million, the security tax was estimated at \$100 million, and the government executed two security loans from the IDB and World Bank for \$75 million, together totalling \$411 million.²⁵⁷

Still, corruption amongst the security forces and crimi-élites persists. The anti-extortion task force the *Fuerza Nacional de Seguridad Interinstitucional* (FUSINA), and an advanced expeditionary force *Tropa de Inteligencia y Grupos de Respuesta Especial de Seguridad* (TIGRES) trained by U.S. special forces have both been caught in corruption scandals.²⁵⁸ The TIGRES were found to have stolen \$1.3 million from a raid, while FUSINA was also implicated in the involvement of the assassination of environmental rights defenders.²⁵⁹ As an example of the continued penetration of drug trafficking within the Honduran crimi-élite network, as of May 2016, Fabio Porfirio Lobo, former President Porfirio Lobo's son, pleaded guilty to conspiring with Mexican drug traffickers to ship cocaine to the United States via negotiating channels from 2004-2014.²⁶⁰ Thus, reforming internal crimi-élite networks and the National Police has proven very difficult due to continued interconnected high corruption and impunity, especially for killings conducted by police.²⁶¹ According to UNAH, from January 2011-May 2013 at least 149 civilians were killed by police, including extrajudicial executions.²⁶² In addition, despite the government placing security sector reform as a priority since 2011, by mid-2013 only seven officers had been dismissed, and some were permitted to re-join the police.²⁶³ In addition, in late-2013 a large police purge inappropriately fired officers who were deemed 'clean'.²⁶⁴

Security reform successes are cited in the decrease of the annual murder rate by 26% to 42.8 per 100,000, and in the establishment of the Financing, Transparency and Auditing for Political Parties, and Candidates Law which has also accompanied a U.S.-Honduran intelligence investigation into the illicit activities of approximately 35 mayors, congressmen, judges, military and police officers.²⁶⁵ However, the murder rate remains high, and it is evident that the systemic problem of addressing embedded corruption persists. For example, on July 2, 2017 Wilter Neptali Blanco Ruiz, the alleged previous head of the Atlantic Cartel, agreed to give information on illicit activities on Hondurans and pleaded guilty to drug trafficking with the potential to implicate high ranking officials in the Honduran security forces.²⁶⁶

Lack of Donor Accountability

Although the U.S. first denounced the coup and cut intelligence information-sharing ties, U.S. funding streams never halted.²⁶⁷ U.S. funding during the coup and subsequent administration included a decrease in economic aid from \$87,674,835 in 2009 to \$54,461,000 in 2010 and a slight decrease in security aid from \$7,789,950 to \$5,148,957. While it is a challenge to obtain exact figures, U.S. security aid to Honduras increased again from \$5,148,957 in 2010 to \$11,032,591 in 2011; while economic aid decreased from \$54,461,000 to \$54,452,025.²⁶⁸ The United States Agency for International Development (USAID) notified the U.S. Congress that the foreign aid provided to Honduras was direct assistance for the Honduran people, however, Honduran due diligence and accountability mechanisms cannot be considered transparent because of significant issues with regulatory mechanisms prior, during and following the coup.²⁶⁹ For example, in June 2009 several magistrates and judges were arbitrarily dismissed without due process and a Transparency Law excluded political élites in all three governmental branches including ministers, mayors, city councillors and deputies leaving only public servants available for public information requests.²⁷⁰

Additional issues in donor accountability and oversight have continued under the Central American Regional Security Initiative (CARSI) programme. CARSI resides under the U.S. Strategy for Engagement in Central America and the Bureau of International Narcotics and Law Enforcement Affairs (INL). The programme is significant as it has provided \$979 million in assistance to Central American governments since 2008, yet discrepancies remain around the evaluation and impact of CARSI-funded community violence prevention programmes. As an example, debate continues in relation to a Vanderbilt University Latin American Public Opinion Project (LAPOP) which was conducted as one of the

only comprehensive assessments of the CARSI programme.²⁷¹ LAPOP cites the coup as a reason for CARSI impact evaluation issues. However, additional critiques regarding the implementation and sampling of the research were highlighted by the Center for Economic and Policy Research (CEPR). For example, USAID had already selected some of the sample communities in Honduras by the time the LAPOP research began.²⁷²

Repeating the Past: the 2017 Crimi-Legal Election

The evidence of the consolidation of Honduran power amidst an explicitly corrupt system suggests that opportunities for true reform remain elusive. Only after the Social Security embezzlement scandal in 2016 became public and under immense societal pressure, Hernandez established the Mission Against Corruption and Impunity in Honduras (MACCIH).²⁷³ By the time of MACCIH's creation, Hernandez had already consolidated state power, launched an iron fist counternarcotic approach to drug trafficking and gang violence, militarised state institutions, and increased citizen insecurity and human rights abuses. Since its implementation, MACCIH's aim has been to deal with high profile corruption and organized crime cases, while supporting institutional reforms.²⁷⁴

However, institutional reforms – such as the April 2015 Supreme Court ruling voiding single-term prohibition (Article 239) on Presidential re-elections – permitted Juan Orlando Hernandez to stand for re-election on 26 November 2017.²⁷⁵ Hernandez ran against opposition challenger Salvador Nasralla amidst drug trafficking allegations against his brother Juan Antonio Tony Hernandez, despite re-election being the justification for the coup against Manuel Zelaya.²⁷⁶ A repeat of U.S. complicity was demonstrated on 28 November 2017 when U.S. Secretary of State Rex Tillerson certified Honduras as meeting accountability requirements in order to receive a U.S. aid package of \$644 million. This certification was made amidst a controversial election, political crisis and surmounting human rights abuses. From 19 November to 21 January 2018, civil society agencies have documented 21 killings by the military police, 232 people injured and 1085 arrests with 35 incidents against human rights defenders and journalists.²⁷⁷

It was not until 17 December 2018 that the *Tribunal Supremo Electoral* (TSE) or Supreme Electoral Tribunal officially proclaimed the election results, with Juan Orlando Hernandez as winner. Furthermore, a new January 2018 law, (Decree 141-2017), shifts the judicial capacity to investigate corruption cases from the Public Ministry into the realm of the '*Tribunal Superior de Cuentas*' (TSC) or Superior Court of Accounts. This shift has significant implications to halt progress on anti-corruption cases, particularly favouring potential impunity for the 'red de diputados' or network of officials, involving the corruption investigation against 60 current and former members of Congress.²⁷⁸ The re-election of Juan Orlando Hernandez and the U.S. State Department's certification of Honduras signifies the weaknesses of international indicators and actors in countering Honduras' negotiated and corrupt elite-bargain state. Thus, there is a significant need to re-evaluate current international metrics against donor political aims, support independent anticorruption efforts and utilise better measures that address transnational crimi-élite power as a destabilising mechanism.

Section 6: A Call for New Metrics

While the overall OECD States of Fragility methodology should be evaluated more extensively, there is no indicator that measures elite power and its pervasiveness across all five dimensions. Although there have been attempts to quantify elite power through the OECD violence lens, expanding the research by conducting a network analysis on transnational elite power across all five OECD dimensions could provide further insight into how transnational élites undermine sustainable development.

Re-evaluating how the OECD fragility indicators like the United Nations Office on Drugs & Crime Homicide rate, IPD level of violent criminal activity, Uppsala Conflict Data Programme deaths by non-state actors per capita and the Worldwide Governance Indicators interlink with elite corruption and

power could better illuminate both intended and unintended consequences on citizen security, health, and human rights. Combined with the adoption of the Sustainable Development Goals (SDGs), local citizen security metrics provide an additional opportunity to align fragility frameworks within a broader and more synergistic development agenda.

In the interest of local accountability and smarter international investment, new locally-based metrics have been developed to better evaluate progress made toward improving citizen security, human rights and anti-corruption efforts in Honduras.²⁷⁹ The Washington Office on Latin America (WOLA) in partnership with Northern Triangle-based partners developed the Central American Monitor to evaluate progress in the region in the areas of ‘reducing violence and insecurity, strengthening the rule of law, improving transparency and accountability, protecting human rights and combating corruption.’²⁸⁰ These metrics have the potential to emphasise locally-driven micro-level indicators for data collection and applicability.

However, with incoherent Honduran and U.S. security policy approaches prioritising criminal gangs, drug trafficking and organised crime, further investigation is needed to understand the impact of new drug policies that curb violence and decrease inequality.²⁸¹ Calls for better data by agencies like the Commission on Narcotic Drugs (CND), UNODC, UNDP, member states and NGOs continue to highlight the significance for new metrics.²⁸² While there has been some progress to alter the discourse on drug policy metrics, progress is lagging in specific guidance. New drug policy indicators like the ‘proportion of total drug policy funds dedicated to treatment/harm reduction, by region/jurisdiction’ are being developed to incorporate drug policy metrics into the SDG Framework.²⁸³ This incorporation is an area for further exploration, in conjunction with further research of how crimi-élite networks and international donors utilise fragile and corrupt contexts to sustain operations and undermine development. In this regard, fragility frameworks, drug policy and sustainable development metrics and agendas should be reinforcing and not counter-productive. Thus, cohesive guidance and measurements are crucial to mitigate incoherent policies that often produce negative effects on local communities. To highlight the variance in indicators as an area for future research, an example of a cross-indicator chart within the OECD’s States of Fragility Security Dimension (**Box 16**) is included over leaf.

Box 16 Example: Security Dimension Cross-Indicator Chart^{XVII}

OECD States of Fragility Framework Security Dimension	WOLA Central American Monitor	SDG 16 Peace, Justice and Strong Institutions Targets	Examples of SDG Drug Policy Indicators
Homicide Rate UNODC Indicator Intentional homicide rate per 100 000 population.	Crime Reduction Convictions for homicides, extortion against	Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels,	Proportion of post-arrest decisions for minor non-violent drug offenses that

^{XVII} Box 16 Source: Organisation for Economic Co-operation & Development (2016). *States of Fragility 2016. Understanding Violence.* *ibid.*; Washington Office on Latin America (2017). *Evaluating Progress in Central America. Indicators of Progress.* WOLA <https://www.wola.org/evaluating-progress-central-america/>; United Nations (2015). *Goal 16: Promote Just, Peaceful, and Inclusive Societies. U.N. Sustainable Development Goal 16 Targets.* <https://www.un.org/sustainabledevelopment/peace-justice/>; International Expert Group on Drug Policy Metrics (2018). *ibid.*

<p>Level of Violent Criminal Activity IPD Indicator Intensity of violent activities by underground political organisation: by criminal organisations (e.g. drug trafficking, arms trafficking, prostitutions etc.).</p>	<p>criminal networks, as well as a reduction in serious and violent crimes.</p>	<p>in particular in developing countries, to prevent violence and combat terrorism and crime.</p>	<p>resulted in criminal/non-criminal/prison-based/pre-trial detention sanctions.</p>
<p>Deaths by non-state actors per capita UCDP Indicator Total of one-sided and nonstate actor datasets – average per capita rate of 2011-2014.</p>		<p>By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime.</p>	
<p>Impact of terrorism IEP/START The Global terrorism index score for a context is a given year accounts for the relative impact of incidents in the year. Four factors are counted: number of terrorist incidents; number of fatalities caused by terrorism; number of injuries caused by terrorism; and approximate level of total property damage from terrorist incidents in a given year. It is a five-year weighted average to capture lingering fear effects.</p>		<p>Significantly reduce all forms of violence and related death rates everywhere.</p>	
<p>Conflict risk GCRI Indicator Statistical risk of violent conflict in the next 1-4 years based on 25 quantitative indicators from open sources.</p>		<p>End abuse, exploitation, trafficking and all forms of violence against and torture of children.</p>	

<p>Restricted gender physical integrity value OECD Indicator Measures prevalence of laws on rape and domestic violence. Experience of violence is also captured.</p>			
<p>Police officers per 100 000 population GPI Indicator Number of Police officers per 100 000.</p>	<p>Functioning of Police Career Systems Existence and effectiveness of police recruitment and promotion mechanisms, training processes and disciplinary systems, as well as the structure of police bodies.</p> <p>Allocation and Use of Budgetary Resources Allocation and effective use of public funds and percentage designated for the well-being of members of the civilian police forces.</p>		<p>Number of lethal outcomes of drug-related police and military interventions.</p>

<p>Armed security officers per 100 000 population GPI Armed security officers per 100 000.</p>	<p>Development and Implementation of a Concrete Plan Design and implementation of publicly accessible and verifiable plan with goals, timelines, activities and clearly established indicators; repeal of legal norms authorizing participation of armed forces in public security and access to information on payroll and assigned resources.</p> <p>Conduct of Military Forces Complaints, accusations and sentences on human rights violations perpetrated by members of the armed forces and the level of public trust in the armed forces.</p>		
<p>Rule of law WGI Reflects perceptions of the extent to which agents have confidence in and abide by the rules of society and in particular the quality of contract enforcement, property rights, police and courts, as well as the likelihood of crime and violence.</p>	<p>Advancements in Criminal Investigations Number of corruption cases filed, prosecuted and resolved, as well as the progress made in emblematic cases.</p>	<p>Promote the rule of law at the national and international levels and ensure equal access to justice for all.</p> <p>Substantially reduce corruption and bribery in all their forms.</p>	<p>Number of investigations/prosecutions for drug-related corruption/money-laundering case involving governmental officials.</p>

<p>Control over territory V-DEM Over what percentage of the territory does the state have effective control?</p> <p>Formal alliances COW Formal alliance between at least two states that fall in the classes of defence pact, neutrality or non-aggression treaties or <i>entente</i> agreements</p>	<p>Capacity Building Existence and functioning of specialized anti-organized crime units, application of scientific and technical investigative methods and functioning of judges or tribunals dedicated to the prosecution of organized crime.</p> <p>Advances in Criminal Investigations The number of organized crime-related cases filed, prosecuted and resolved, as well as progress made in emblematic cases.</p>	<p>Develop effective, accountable and transparent institutions at all levels.</p> <p>Promote and enforce nondiscriminatory laws and policies for sustainable development</p>	<p>Displaced population due to drug-related violence.</p>
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Section 7: Concluding Reflections

It is apparent that although some evidence points to the utility of fragility frameworks for security and development donors, much work is needed to increase transparency within the frameworks, accountability amongst donors and local actors and to promote locally-based and sustainably-focused metrics. Factors like the inter-connectivity of crimi-legal corruption through illicit markets and ineffective drug policy serve as an example of an oversimplified and under investigated arena within the fragility analyses and drug policy discourse.

Furthermore, while corruption has been noted as undermining development, it is often difficult to measure and address, due to the implicit network that both promotes and sustains systems of corruption. Corruption, like violence, is multi-dimensional and cannot be addressed through policies that do not take into account political agendas within both countries receiving economic and security assistance and within donor countries as well. In particular, further investigation is required to understand how fragility, élite control, corruption and sustainable development interlink across borders. It is important to not only understand how international donors control the measurement process, but also how transnational crimi-élite network capture promotes ineffective policy implementation. Without considering political realities within the donor countries themselves, fragility frameworks are overlooking donor political influence and inconsistencies.

As an example, although already inherently fragile when the Honduran system was shocked during the 2009 coup, crimi-élite networks mobilised to further take advantage the crisis to strengthen their socio-political power through increasing drug trafficking, crime, citizen insecurity and human rights abuses. Specific pledges for a renewal in police reform and actions against corruption have only taken place recently after significant denunciations from international donors like the U.S., who finance security reforms. However, police corruption, conflict-insensitive assistance by the U.S., militarisation into public security and state institutions and crimi-élite abuse of power continue to impede much needed citizen security assistance and human rights protection. In this regard, the high levels of organised crime and gang violence are the manifestation of under-development, inadequate donor assistance, lack of regulation, stark inequality and the permissive crimi-legal nature of Honduran society funded in part by donors like the U.S. and OECD.

While the Honduran Government has contributed a decrease in the homicide rate as an indicator of citizen security improvement, this is not indicated in the high rates of GBV, migration and forced displacement. Many Hondurans, especially vulnerable youth and women, continue to flee insecure spaces, while facing increased violence, abuse and criminal exploitation along migration routes to the U.S. In addition, the conflict-insensitive retention and deportation practices of the U.S. return migrants to the same insecure environment with little protection.

The 2017 certification of the re-election of Juan Orlando Hernandez particularly signifies that there will be limited action from the U.S. in challenging the corrupt operating system in Honduras. Without more holistic metrics and application, external donors with their own political interests, like the U.S., OECD and IMF will continue to enact ineffective policies and co-operation programmes that finance Honduras' highly corrupt and deeply fragile crimi-élite political and security networks.

The introduction of new metrics to guide policy poses a significant challenge; increased due diligence and transparency will be required for both donor and recipient countries. However, with the adoption of the SDGs aligned with additional fragility, drug and local metrics, donor countries, like the U.S. have an opportunity to reconcile internal security and development policy discrepancies if there is the political will to do so.

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**About the Global Drug Policy Observatory**

The Global Drug Policy Observatory aims to promote evidence and human rights based drug policy through the comprehensive and rigorous reporting, monitoring and analysis of policy developments at national and international levels. Acting as a platform from which to reach out to and engage with broad and diverse audiences, the initiative aims to help improve the sophistication and horizons of the current policy debate among the media and elite opinion formers as well as within law enforcement and policy making communities. The Observatory engages in a range of research activities that explore not only the dynamics and implications of existing and emerging policy issues, but also the processes behind policy shifts at various levels of governance.

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ENDNOTES:

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BOOK REVIEW

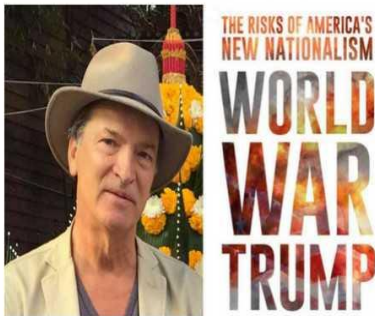
Author & Editor Debate on Dr. Marco Rimanelli's Review of Hall Gardner, *World War Trump: Risks of America's New Nationalism*

(New York: Prometheus Books, Summer 2018, ISBN 978-1-63388-395-6)

by Hall Gardner, Ph.D., Chair & Professor, American University of Paris, France

"Every foreign affairs student, journalist, academic and policy maker should make reading (*World War Trump*) a priority." -
Jonathan Power, *The New York Journal of Books*

HALL
GARDNER



[Editor's Note: In the classical tradition of promoting continuing open debate over controversial issues and policies we are honoured to present below the contribution of Dr. Hall Gardner's counter-points reply to the Editor's Book Review of his 2018 work earlier published in *Florida Political Chronicle*, vol. 26, n. 1 (2018): p.94-104]

I.

First, let me thank Dr. Marco Rimanelli for taking the time to write a full review of my book, even though I strongly disagree with some of his interpretations of the book's policy proposals, as well as his observations on the state of America under the Trump Presidency.¹ Dr. Rimanelli and I do share common apprehensions about the Trump administration's ability to peacefully manage the global interstate system although we may differ to a large extent as to foreign policy prognosis.

Where we differ most significantly can be seen in Dr. Rimanelli's negative reaction to some of my domestic policy proposals that are intended to simplify, and more thoroughly democratize, the presently dysfunctional and excessively costly American system of democratic governance. Although Dr. Rimanelli does realize that the United States and other major democratic countries (including Italy, Great Britain and France) are confronted with a major legitimacy crisis (which has manifest itself by the rise of so-called "populist" movements), he does not seem to recognize the depth and dangers of this socio-political-economic crisis and why it is absolutely crucial to propose and then debate realistic governmental reforms and alternatives in an effort find some common ground between conflicting perspectives as soon as possible so as to forge a stronger consensus as to how to move forward.

The failure to achieve a stronger general consensus as soon as possible will make it even more difficult to prevent the real possibilities of extreme domestic violence and possible steps toward authoritarian rule whether by the right or by the left within the U.S. itself and elsewhere in the near future. The goal of *World War Trump* is accordingly to initiate a nation-wide American debate on the nature of both U.S. domestic and foreign policy. Those interested should also read the review of *World War Trump* by Jonathan Power who stated that "Every foreign affairs student, journalist, academic and policy-maker should make reading (*World War Trump*) a priority."²

¹ Marco Rimanelli, "Book Review: Hall Gardner, *World War Trump: the Risks of America's New Nationalism* (2018)", p.94-104, in *Florida Political Chronicle*, vol.26, n.1 (2018), Journal Florida's Political Science Association, see: <http://www.fpsanet.org/current-chronicle-issue.html>; and <http://www.fpsanet.org/uploads/8/8/7/3/8873825/9-florida-political-chronicle-fpsa-issue-v.26-n.1-2018.pdf>

² Hall Gardner, *World War Trump: The Risks of America's New Nationalism* (New York: Prometheus Books, 2018); Jonathan Power, "Review of *World War Trump: The Risks of America's New Nationalism*" in *New York Journal of Books* (6 March 2018), see: <https://www.nyjournalofbooks.com/book-review/world-war-trump>

II.

Dr. Rimanelli is right to say that my views on NATO enlargement and toward Russia have been in the minority and yet I have correctly and consistently forewarned of a Russian backlash to NATO expansion, particularly with respect to Ukraine and Crimea, since the publication of my first book, *Surviving the Millennium*, in 1994—a full 20 years before the Russian annexation of Crimea.¹ In my efforts to analyze the possibility of a Russian backlash, Dr. Rimanelli states that I have appeared to “sympathize” with Moscow, but this is a vulgarization of my analysis. I definitely do not sympathize with the Russian leadership, nor with President Putin in particular, but I do “empathize” with Moscow by trying to explain Russian actions, whether positive or negative, as objectively as possible. Dr. Rimanelli should know the difference between “sympathy” and “empathy.”

Since the end of the Cold War, the vast majority of mainstream U.S. foreign policy analysts downplayed both the possibility of a dangerous Russian backlash (and what I call *preclusive imperialism* in reference to Crimea), as well as the burgeoning possibility of a Russia-China alliance. By contrast, I have consistently warned about these possibilities, in addition to warning about the real possibility of World War III—that is, if the U.S./NATO sustains its “open NATO enlargement” policy and does not soon begin to resolve a number of disputes with Moscow and Beijing, among other states.

As I argued in my books, *Surviving the Millennium* (Praeger, 1994), in *Dangerous Crossroads* (Praeger, 1997) in more detail, in *Crimea, Global Rivalry and Vengeance of History* (Palgrave, 2015) and more recently in *IR Theory, Historical Analogy and Major Power War* (Palgrave 2018),² which was just published, there was a viable alternative to NATO Enlargement that would have minimized the possibility of a Russian backlash and a Sino-Soviet alignment. As proposed in 1993, Partnership for Peace (PfP) forces, backed by the U.S./NATO, Europeans and Russia, could have been deployed throughout Eastern Europe under a general U.N. or CSCE/OSCE mandate; these forces could have taken the place of all Soviet forces as they moved out of Eastern Germany and Eastern Europe. *Such an alternative option meant that NATO would have remained in the background in defending a neutral, yet militarily-integrated, Eastern Europe in a system of U.S./NATO/European/Russian cooperative-collective security. It would have prevented a major arms race and the present conundrum in which NATO forces in the aftermath of the Russian annexation of Crimea in 2014 have been deployed in the Baltic States and Poland on the Russian/CSTO frontline where they are vulnerable and subject to pre-emption in a nuclear and hypersonic missile age.*

In the period 1994-1997, the PfP approach represented a position of *alternative realism* and it was supported by one of the major hard-core realists during the Cold War, Paul Nitze, who wrote the National Security Doctrine NSC-68 in 1950 that had militarized George Kennan’s Containment strategy. But after the Cold War, Nitze had argued that it was in the U.S. national interest to draw Russia into a positive relationship with the U.S. and Europeans. Nitze forewarned in testimony before the U.S. Congress and in the “Open Letter to President Clinton” that the open NATO enlargement would create a dangerous backlash in Russia.³

Yet the PfP approach was denounced by more traditional realists, such as Henry Kissinger, among others—who dubbed it the Partnership for Postponement (of NATO enlargement). In essence, it was an alliance of neo-conservatives, neo-liberals and traditional realists, who opted to risk a major arms race and a Russian backlash by pressing for “open” and costly NATO Enlargements into Eastern Europe for political and economic reasons, and not from any truly strategic and military rationale—as if NATO were some form of social club and not a collective defense organization.

¹ Hall Gardner, *Surviving the Millennium* (New York: Praeger, 1994).

² Hall Gardner, *IR Theory, Historical Analogy and Major Power War* (New York: Palgrave, 2018), see: <https://www.palgrave.com/us/book/9783030046354>

³ See: Paul Nitze, “Former Policy-Makers Voice Concern Over NATO Expansion: Open Letter to President Clinton” (26 June 1997), in <http://www.bu.edu/globalbeat/nato/postpone062697.html>

III.

Now let me turn to the concerns discussed in more depth in my book *World War Trump* which argues, much as Republican Senator Bob Corker forewarned in the early days of Trump's Presidency, that Trump's inconsistencies, policy flip-flops, refusal to strongly support U.S. allies, and his self-serving behavior could spark World War III. Trump did not initiate the present crisis that the U.S. and the world is presently experiencing, but his policies are definitely making the domestic American and global situation even more confused and instable. Trump's contradictory policies risk further polarizing major powers into rival alliances at the same time that the nature of Trump's narcissistic personality, rhetoric and policies are further dividing domestic American (and world) society into rival factions.

In arguing that variants of Trumpism and "America First" nationalism are here to stay, Dr. Rimanelli lambasts me for holding a "traditionalist vision of a U.S.-led moralist world order steeped in TransAtlantic security with Europe, free trade Globalization and support of U.N.-sponsored human rights and peacekeeping in global troubled spots." This is a significant misinterpretation of my argument. It is a misleading critique that testifies to the fact that Dr. Rimanelli does not grasp my conception of *alternative realism*, which seeks to better balance U.S. nationalism and internationalism. His critique does not explain the fact that my policy proposals, both domestic and international, are neither "traditional" nor "moralistic"; nor do I necessarily support what he calls "free trade globalization" in all cases.

As argued above, my policy proposals toward Russia, NATO and toward security/defense for Eastern Europe in general, definitely cannot be considered "traditional" as they were never implemented in the aftermath of the Cold War. And even Trump administration policy, despite the general belief that it is pro-Russian, has not been advocating a political settlement with Moscow that would involve a neutral, yet decentralized, Ukraine, as I argue for in *World War Trump*. And contrary to the vast majority of American analysts, I argue that there is a way to negotiate a peace accord between Moscow and Kiev over Crimea that does not represent a total capitulation to Moscow's annexation of Crimea.¹ But I also argue that Trump has been absolutely wrong in the foolish and sycophantic manner in which he has approached President Putin.

True, I still believe in the importance of U.N.-legitimized peacekeeping, but this is from a perspective of *alternative realism* that understands that U.N.-led peacekeeping can actually be less expensive and more effective than U.S.-led or NATO-led peacekeeping, as a number of studies, including those of RAND, have observed. My proposals involve the deployment of NATO Partnership for Peace forces, involving troops acceptable to both Moscow and Kiev, in a peacekeeping mission under a U.N. or OSCE mandate in Eastern Ukraine, Caucasus and elsewhere.

In fact, Alexander Vershbow, former-Deputy-Secretary General of NATO from 2012 to 2016 and a former-Assistant Secretary of Defense and U.S. Ambassador to both Russia and NATO, has argued in his January 2018 article, "How to Bring Peace to the Donbas. (Yes, It's Possible)" that the deployment of a robust U.N. peacekeeping force "if done properly, could bring peace to conflict (in the Donbas in Eastern Ukraine) that has dragged on for nearly four years. Without it, the conflict could return to a boil, jeopardizing Ukraine's stability and destroying any basis for reducing tensions between Russia and the West."²

In my formulation, this kind of peace-oriented approach toward the Russia-Ukraine conflict would provide NATO's Partnership for Peace with a new mission, but in a more indirect role in managing disputes under a general U.N. or OSCE mandate, in which Moscow possesses a positive role and *droit de regard*. I would suggest that Dr Rimanelli, whose expertise covers NATO policy, should do some more research on options that the U.S. and NATO are considering with respect to the Ukraine-Russia conflict

¹ Hall Gardner, *World War Trump: the Risks of America's New Nationalism* (New York: Prometheus Books, 2018). See also, Hall Gardner, "Ukraine: A New Plan" in *American Affairs*, vol. 1, n.2 (Summer 2017), in: <https://americanaffairsjournal.org/2017/05/ukraine-new-plan/>

² See the views on U.N. peacekeeping of Alexander Vershbow, "How to Bring Peace to the Donbas (Yes, It's Possible)" in *Atlantic Council* (5 January 2018): <https://www.atlanticcouncil.org/blogs/ukrainealert/how-to-bring-peace-to-the-donbas-yes-it-s-possible>

that include U.N. peacekeeping. Given President Putin's New Year 2019 call for "dialogue with the USA on the most wide-ranging agenda," the need for a total rethinking of NATO's approach to Russia and Ukraine is particularly crucial now that there is the real potential for Ukraine-Russia conflict to draw NATO into a major war over the Sea of Azov.

IV.

Not pointed out by Dr. Rimanelli in his review of *World War Trump*, is that fact that I was one of the few analysts who argued that Trump would meet with North Korean leader Kim Jong-un despite Trump and Kim's nuclear threats and the hype raised by the media and books such as *Fire and Fury*. At the same time, however, Trump's meeting with Kim does not guarantee a peaceful outcome and could provoke war if one side or the other believes that they have been duped at the Presidential level, particularly as the term "denuclearization" is not commonly defined by Pyongyang and Washington. There is much that still separates North and South Korea that could spark a devastating war.

But here, contrary to Trump's "America First" and his "Peace through Strength" ideology, I argue that Trump will eventually need to engage more deeply in multilateralism and inter-state trade-offs and compromises in the effort to achieve peace on the Korean peninsula—and with respect to the China-Taiwan and China-Japan disputes—than he presently claims.

Concurrently, South Korea is pressing to establish three "peace communities" that will help reconcile the North and South—which in *World War Trump* I call a "peace and development community". A "peace and development community" is a practical proposal involving interstate cooperation and cannot be so easily dismissed by Dr. Rimanelli as an idealistic aspect of "U.N. sponsored human rights and peacekeeping." As argued in *World War Trump*, the U.S. needs to work with Russia, Ukraine and the Europeans to establish a "peace and development community" in Eastern Ukraine, and ultimately in the Caucasus, while also working with Russia, China, Japan and the Europeans to establish a "peace and development community" for North and South Korea.

The complicated situation on the Korean peninsula requires effective bilateral, multilateral and international diplomacy. It will take Trump some time, but he and his administration will soon realize (hopefully before it is too late) that bilateral deals between Kim and Trump will not be adequate to sustain regional and global peace in situations that significantly impact regional actors. Trump will soon need to alter his tactics if his administration is to sustain peace.

Nevertheless, the Trump administration's stated goals in support of South Korean proposals for a North-South Korean "peace community" are very similar to what I have proposed in my book, even if Trump's tactics may be very different. Trump knows well that a war with North Korea would prove devastating not only for the region—but for the U.S. as well, as the U.S. would be compelled to intervene. Yet one major dilemma that has been created by Trump's decision to meet directly with Kim is that the meeting has raised Kim's expectations that Trump himself will negotiate the future "deal" between the two sides—as Trump's underlings cannot be entirely trusted. But then again, neither can Trump be trusted as he is constantly shifting his policies in addition to his foreign policy team.

V.

My policy proposals—that are intended to prevent wider regional wars, if not the real possibility of a major power war—are not at all based on "moralism"—but upon basic self-interest. It is basic self- and national- interest to avert costly wars and to engage in peace-oriented diplomacy wherever possible.

In a major issue that Dr. Rimanelli did not thoroughly discuss in his review of *World War Trump*, but which is key to the thesis of the book, is that the global war on terrorism has begun to merge with major power rivalry, so that the major and regional powers have begun to polarize into two contending

alliances with an enlarging NATO linked to the E.U. and Japan against Russia/CSTO and China, with India so far caught in-between.

If Trump, or the post-Trump U.S. leadership, does not soon begin to find ways to prevent the polarization of the global geopolitical system into two rival alliances by engaging diplomatically with both Russia and China, World War III will soon be around the corner. And Dr. Rimanelli will not be able to escape from the radioactive fallout by sipping *piña coladas* on Florida beaches as he not-so-comically jests in the conclusion of his book review!

VI.

Dr. Rimanelli and I do share a few of the same foreign policy concerns, but he is dead wrong about my understanding of domestic U.S. politics. Contrary to Dr. Rimanelli's insinuations, I am not a "sincere loving 'Expat' who has lost touch" with my compatriots. And contrary to Dr. Rimanelli's assertions, the Trump Presidency does not represent "the living embodiment of a new 'permanent' populist revolution". In making such an assertion, Dr. Rimanelli is mouthing pure propaganda that only serves the interests of Trump and his former-advisor, Steve Bannon.

While there is a general social protest against the *status quo* of neo-conservative and neo-liberal politics in the U.S. and in Europe, and in many other countries (such as Brazil and Philippines) throughout the world, this does not mean Trump's policies necessarily represent the diverse aims and goals of those socio-political protest movements which are not at all unified. And Trump is definitely not representative of the entire American population given the fact that he won the presidency only because of an outdated electoral college system, which Trump himself had denounced in reference to President Barack Obama before he was elected as his successor (see *World War Trump*). The fact of the matter is that Trump lost the national popular vote by a significant 2.87 million votes to Hillary Clinton, but then won the electoral college by less than a mere 80,000 voters in three states, Pennsylvania, Wisconsin and Michigan. *This indicates Trump does not necessarily possess the support of the majority of the U.S. population.*

While the American population may *appear* to be shifting to the right under Trump at present, the U.S. popular mood could soon shift more to the left if Trump's promises are not fulfilled and if the average American no longer believes that they are benefiting from the American dream as the stock market continues its roller-coaster ride up and mainly down under Trump's protectionist policies. Despite Trump's significant tax cuts designed to gain supporters and his criticisms of the Federal Reserve's decision to raise interest rates, it appears dubious that Trump's "America First" protectionist policies are truly benefiting the average American.

It is increasingly clear that the "super-rich" (including Trump and many of his cohorts), combined with the comparatively less "rich", are gaining considerably over the hard-working middle and lower classes, who are having real trouble making ends meet. At the same time, the average American student—a generation which appears to be voting in greater numbers than in the past—will need to pay back college loans for years in working jobs that are generally less well paid than those of his or her parents. These are just a few of the issues that can be used by the Democrats to win the 2020 Presidential election.

VII.

It is true, as Dr. Rimanelli argues, that the Democrats have not yet gotten their act together. At the same time, however, I believe that the Democrats will begin to forge greater solidarity as they continue to investigate the evident corruption of Trump, his family and members of his administration, including Trump's refusal to show his tax returns. And as more and more details surface about Trump's alleged "collusion" with Russia to interfere in the U.S. Presidential elections, the more popular support Trump will lose. And I doubt Trump's efforts to build a concrete wall (and see-through steel slats)

between the U.S. and Mexico, at the cost of a partial U.S. governmental shut-down that does nothing but hurt U.S. government employees and not the politicians, will sustain the support of the majority of Americans.¹ I accordingly believe most of American voters have not become “Trumpists” and many will oppose Trump, or Trump-like “populist” candidates the future, albeit for differing reasons.

On the one hand, I do not think Trump will be impeached, even though the House Judiciary Committee should move forward on the impeachment process once the Democrats are empowered in January, *but only if there is clear and sufficient evidence of high crimes and misdemeanors*. On the other hand, I do not believe Trump will necessarily obtain the Republican nomination for a second-term. Utah Senator and former-Presidential candidate, Mitt Romney has just launched a scathing attack on Trump’s moral character.² Romney’s attack, coupled with strong criticisms of Trump’s behavior and policies by other respected élites, will ultimately help to divide the Republican Party and turn it against Trump.

I thus find it dubious that Republicans will back Trump for a second term. Vice-President Mike Pence, thus far backed by neo-conservatives and Christian conservatives, appears to be waiting quietly in the wings to replace Trump. He could take-over the office of Presidency with the promise of granting Trump, family and some friends, immunity from prosecution if he resigns. But even if Trump does not resign (because he can’t stand to be a “loser”), the Republicans could still choose Pence, Romney, or any another candidate for the Republican party ticket in 2020. But if Romney, Pence, another Republican, or even Trump, does become the next U.S. President, it will only be because the divided Democrats were not able to find decent presidential and vice-presidential candidates to oppose the Republicans.

At present, it looks like the battle within the Democratic party may be between Elizabeth Warren, the elderly Joe Biden and younger Beto O’Rourke, if the latter two of these three individuals decide to run. And other candidates could soon enter the 2020 Presidential race.³ The point is that the Democrats can win the next Presidential election against the Republicans.

But it is true that Trump will not go down easily. And Trump could cause significant damage to the U.S. and the world in the effort to prevent himself from falling from power whether by the threat of impeachment or even by the mere possibility that he might lose his chances to become President in 2020 for whatever reason. He could even start a war and has certainly been ramping-up pressure on Iran that could start conflict—whether accidentally or accidentally-on-purpose.

VIII.

In claiming that Trump is an integral part of a “new permanent populist revolution,” Dr. Rimanelli appears totally oblivious to the need for electoral college reform. Dr. Rimanelli’s attitude is particularly bizarre given the fact that it was his own state of Florida which had blocked Al Gore, the Democrat’s Presidential candidate, from obtaining the Presidency in 2000, when George W. Bush won the electoral college vote. The need for a Florida vote recount forced the sovereign decision as to who would become the President of the American people to the U.S. Supreme Court, which then handed the Presidency over to George W. Bush by a divided 5-to-4 decision—even though Al Gore, who would have at least set the country in an environmentally sane direction, had won the overall nation-wide popular vote by more than 500,000 votes!

¹ Frank Newport, “Americans Oppose Border Walls, Favor Dealing with DACA” in *Gallup* (20 June 2018), see: <https://news.gallup.com/poll/235775/americans-oppose-border-walls-favor-dealing-daca.aspx>

² Mitt Romney, “The President Shapes the Public Character of the Nation. Trump’s Character Falls Short” in *Washington Post* (1 January 2019), see: https://www.washingtonpost.com/opinions/mitt-romney-the-president-shapes-the-public-character-of-the-nation-trumps-character-falls-short/2019/01/01/37a3c8c2-0d1a-11e9-8938-5898adc28fa2_story.html?utm_term=.80a451905fba

³ These potential Democratic candidates include: Bernie Sanders, Kamala Harris, Julián Castro, Kirsten Gillibrand, Tulsi Gabbard, John Delaney, Andrew Yang, Richard Ojeda, Cory Booker, John Hickenlooper, Eric Garcetti, Amy Klobuchar, Michael Bloomberg, Sherrod Brown, Terry McAuliffe, Steve Bullock, Jeff Merkley, Mitch Landrieu, Jay Inslee, Eric Swalwell, Andrew Gillum, Stacy Abrams and others.

The electoral college system was created in part to protect the Southern slave states and in part to prevent demagogues or incompetent individuals from winning the U.S. Presidency. Yet the slavery issue is no longer relevant to contemporary post-bellum America and the electoral college system did not stop either a demagogic Donald Trump or an incompetent George W. Bush from being elected.¹ Yet according to his irrational reaction to my proposal, Dr. Rimanelli does not appear to think that the electoral college system should be eliminated!

IX.

Despite his comments to the contrary, it will be Dr. Rimanelli who will soon be eating the goop off the floor from his own very cheesy “flat *soufflé*” (as he himself put it in reference to my last two prescriptive chapters) and not me. Dr. Rimanelli rants and raves over issues I did not propose, at least in the way he claims I proposed them.

First, contrary to Dr. Rimanelli’s misinterpretation of my argument, I explicitly state that the electoral college system can be superseded without recourse to changing the U.S. Constitution.² I only argue that eliminating the electoral college system *alone* is not an adequate means to deal with the deeper legitimacy crisis that the U.S. system of democratic governance is presently confronting.

Second, I do not advocate abolishing the Second Amendment as Dr. Rimanelli claims I do. Instead, I argue that nothing in the Second Amendment justifies the possession of all kinds of weapons for purposes of self-defense. So what is crucial is the Supreme Court interpretation. And not all Supreme Court judges appointed by Trump will necessarily follow Trump on this issue and others. The Trump administration itself has finally moved to ban bump stocks that turn semi-automatic rifles to illegal automatic rifles despite National Rifle Association opposition.³ And as Trump himself claimed he was not beholden to the National Rifle Association, let’s make sure that proves to be true.

Given considerable public protest over the spate of mass killings, much more can be done once Democrats control the House to constitutionally limit the spread of firearms not strictly used for self-defense. After the mass killings in Florida—which ranks No. 3 in the nation for the number of mass-shootings in the last five years and overall No. 2 for the number of fatalities in mass-shootings⁴—how could Dr. Rimanelli not urge stronger gun control laws, particularly with reference to assault rifles?

X.

Contrary to Dr. Rimanelli’s unfounded criticisms, I am also well aware of the legal and practical difficulties of changing the constitution. After all, the Equal Rights Amendment (ERA), for better or worse, has still not been added to the U.S. Constitution since it was introduced in Congress in 1923, although a number of states have adopted similar measures.

¹ An incompetent and demagogic President George W. Bush (“you are either for us or against us”) had permitted the Republican Party’s neo-conservatives to dominate U.S. foreign policy, unlike his father President George H. W. Bush and his father’s Secretary of State James Baker, who generally prevented neo-cons from obtaining key positions in the U.S. government.

² Richard Dawkins, “Can the Electoral College System Be Reformed?” (9 February 2017), see: <https://www.richarddawkins.net/2017/02/can-the-electoral-college-system-be-reformed/> Dawkin’s proposal on how to reform the electoral college without a constitutional reform was incorrectly quoted by accident in *World War Trump* (New York: Prometheus Books, 2018) in Chapter 10, p.288, line 10. The sentence should have read: ...“every state should cast its (electoral) votes for whomever won the popular vote *in the whole country*” and not as the book reads “within the state.”

³ “Justice Department Bans Bump Stocks, Devices Used In Deadly Las Vegas Shooting” in *NPR* (18 December 2018), see: <https://www.npr.org/2018/12/18/677788059/justice-department-bans-bump-stocks-devices-used-in-deadly-las-vegas-shooting>

⁴ Jason Kelly & Lauren Seabrook, “Here’s where Florida ranks on the list of states with the most mass shootings” (27 August 2018), see: <https://www.wftv.com/news/local/here-s-where-florida-ranks-on-the-list-of-states-with-the-most-mass-shootings/821917900> Since 2014, 11 more people died in mass shootings in Florida than in California, where private ownership of assault rifles is banned. And California has more than twice as many people as Florida.

Nevertheless, I am arguing that the contemporary American legitimacy crisis is so deep that the U.S. government cannot continue to function in the same way for much longer without causing a major financial, economic, social, environmental and political disaster. Given mounting Federal, State and Local debts (not to overlook high personal indebtedness), the size of U.S. government will soon need to shrink.

If the American system of democratic governance is to become more supportive of the needs of the general population, it will need to become less complex, less impacted by vetoes, more effective, while concurrently becoming more participative and more responsive to the needs of the entire population.

Here my point of view evidently differs significantly from both neo-liberal Democrats and arch-conservative Republicans. I am advocating ways to simplify and further democratize government decision-making by giving the average citizen a greater say in governance, while likewise seeking ways to augment employee profit-sharing and participation in decision-making in major enterprises, as argued in the book.

The deeper question raised in *World War Trump*—that Dr. Rimanelli does not discuss in his book review—is the question as to whether the size of government will shrink in such a way that empowers citizens and protects both social entitlements and the environment or whether the U.S. government will continue to serve the interests of the tax-payer subsidized fossil fuels industry and military-industrial-congressional complex,¹ by cutting entitlements, welfare, health coverage and environmental legislation. Thus far, Trump has sided the military-industrial complex and fossil fuel corporations against the development of an employment producing and healthy green economy.

I am thus arguing that the interrelated nature of social, political-economic, and financial crises will soon force radical change in both U.S. foreign and domestic policies whether Dr. Rimanelli is prepared for those changes or not. So the time is now to start a real debate on a whole range of alternative options that will create the solid foundations for a fairer, more equitable society and a more effective system of participatory governance. The dilemma, of course, is how to build a solid consensus over which reforms are truly necessary, most effective and relatively just. To achieve such a consensus will be the task of a new American leadership that engages in direct dialogue with a diverse population.² Without engaged American leadership, the crisis will not be abated. Unlike Dr. Rimanelli, I believe such a consensus is possible to achieve.

XI.

I will conclude on this point: of the proposals that I make in *World War Trump* for major U.S. governmental reforms that to seek to simplify American government and make it less costly, more effective and more democratic, the easiest major reform to achieve is to limit the President's length of term to a single 5-6 year term.³

¹ Dr. Rimanelli belittles the issue, but President Dwight Eisenhower was right to warn against the power and influence of the military-industrial complex. And to his credit, the late-Senator John McCain had also been concerned with the considerable power and influence of the military-industrial complex in U.S. governmental decision-making. McCain's concern was revealed during Senate confirmation hearings that led Patrick Shanahan to become Deputy-Defense Secretary in July 2017. McCain warned that he was "not overjoyed" with Shanahan's extensive background working in the defense industry: "I am concerned that 90 percent of defense spending is in the hands of the five corporations, of which you represent one," McCain told Shanahan. "I have to have confidence that the fox is not going to be put back into the hen house." Trump has subsequently appointed Patrick Shanahan as interim-Secretary of Defense after Defense Secretary James Mattis stepped down in December 2018. Rebecca Kheel, "Meet Trump's Pick to Take Over for Mattis at Pentagon" in *The Hill* (24 December 2018): <https://thehill.com/policy/defense/422779-meet-trumps-pick-to-take-over-for-mattis-at-pentagon?userid=145433>

² A number of social, political, institutional and constitutional changes are presently being demanded by French "yellow vest" movement which claims to be apolitical, but generally tilts to the Right. How French President Macron dialogues with this powerful social movement in an effort to build consensus in 2019 remains to be seen. But if Macron does not soon find ways to make major compromises and build consensus, he will open the door for the Far-Right to win in the next French Presidential elections. Although France's socio-political context is different, I believe the post-Trump American leadership will soon be somewhat similarly tasked to consider fundamental changes in the U.S. system of democratic governance.

³ I intend to discuss this and other reforms in more depth in a future book over constitutional amendments, including adopting a unicameral as opposed to a bicameral legislature, and reducing the number of U.S. states, to better balance their tax base and populations.

The purpose of limiting the U.S. President's length of term to a single 5-6 year term is to help stabilize the transition from one president to the next and hence reduce possible demagogic actions taken by the incumbent president as he prepares for re-election. This reform can be accomplished by a constitutional amendment, which can be achieved by one out of four ways.¹

This is not a utopian proposal made by someone who does not understand "the most basic principles of any POL-101 'American Government' course" as Dr. Rimanelli insinuates. Rather, it represents a potentially major constitutional amendment that had been advocated by former-President Jimmy Carter and that has been proposed on and off since Andrew Jackson's demagogic era.² In fact, Woodrow Wilson had been elected in 1912 on a Democratic platform calling for a single six-year term and the Senate approved that proposed constitutional amendment in early-1913, but then Wilson himself had it killed when the 62nd Congress went out of session. The 1912 Democratic Platform read: "We favor a single Presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible to reelection and we pledge the candidates of this Convention to this principle."³ In showing his ignorance of the proposal to limit the U.S. Presidency to a single term, Dr. Rimanelli reveals that it is his own views of the American government that have not advanced beyond the level of a freshman textbook.

The issue raised in *World War Trump* is accordingly that both Presidents Obama and Trump, wanted to stay at least three terms in office, while Ronald Reagan argued in November 1987 for starting "a movement" to repeal the 22nd Amendment passed in 1951 that limits Presidents to two terms, at a time when he may have had Alzheimer's disease.⁴ Yet let us prevent any president from serving more than one term in office by initiating a constitutional amendment to limit the U.S. presidency to a single term of 5-6 years —and as soon as possible! If a single six-year term could be proposed back in 1913 and pass the Senate, then it can be proposed again and perhaps pass in the future!

Contrary to the views of Dr. Rimanelli, I do not believe that the majority of the American people really want a corrupt, narcissistic, nepotistic individual, such as Donald Trump, plus his family, friends and accomplices, to represent the United States for even a second-term in office. Trump's policies are not making America great again, but are instead sinking the United States deeper into a hellhole of mounting debt and financial crisis, corruption, arbitrary executive decisions and general governmental mismanagement—with the threat of significant acts of domestic violence, environmental catastrophe and global war looming on the horizon.

Call Gardner

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¹ Four ways to change the U.S. Constitution:

- (1) Both houses propose an amendment with a two-thirds vote and three-fourths of state legislatures approve it.
- (2) Both houses propose an amendment with two-thirds vote and three-fourths of states approve it via ratifying conventions.
- (3) Two-thirds of state legislatures call Congress to hold a constitutional convention and three-fourths of states legislatures approve the amendment.
- (4) Two-thirds of state legislatures call Congress to hold a constitutional convention and three-fourths of states approve the amendment via ratifying conventions.

² General Andrew Jackson, a wealthy slave owning planter, was seen as a maverick upstart in support of the common man against the corrupt aristocracy, while also strongly supporting American Manifest Destiny. Somewhat like Trump, Jackson gained the support of the Midwest and rural Americans to be elected President from 1829 to 1837. But even Jackson supported a single six-year term. See Griffin B. Bell & Herbert Brownell, "For a One-Term, Six-Year Presidency" in *New York Times* (31 December 1985): <https://www.nytimes.com/1985/12/31/opinion/for-a-one-term-six-year-presidency.htm>

³ "1912 Democratic Party Platform" in *The American Presidency Project*, see: <https://www.presidency.ucsb.edu/documents/1912-democratic-party-platform>

⁴ Irvin Molotsky, "Reagan Wants End of Two-Term Limit" in *New York Times* (29 November 1987), see: <https://www.nytimes.com/1987/11/29/us/reagan-wants-end-of-two-term-limit.html>; Snopes, "Did Ronald Reagan Have Alzheimer's Disease While in Office," accessed 26 December 2018, <https://www.snopes.com/fact-check/ronald-reagan-alzheimers-disease/>

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Hall Gardner, Ph.D., is Chair and Professor of the Department of International & Comparative Politics at the American University of Paris, France. He holds a Ph.D. (1987) in International Studies-Global Theory and History from Johns Hopkins University-SAIS in Washington, D.C. Among his books see: *Crimea, Global Rivalry and the Vengeance of History* (New York: Palgrave/Macmillan, 2015); *The Failure to Prevent World War I: the Unexpected Armageddon* (New York: Ashgate, 2015); *NATO Expansion and U.S. Strategy in Asia* (New York: Palgrave-Macmillan, 2013); *Ashgate Research Companion to War* (New York: Ashgate, 2012); and *Averting Global War* (New York: Palgrave-Macmillan, 2010). He participated in Track II diplomacy with the East-West Institute after the 2008 Georgia-Russia War and with the Geneva Center for Security Policy in 2015 on Indo-Pacific disputes. He is Advisory Board member of: New Policy Forum (Mikhail Gorbachëv); Cicero Foundation (Paris/Maastricht); French journal, *Géostratégiques* (Paris); *Online Bibliography* of Oxford University Press; and World Association of International Studies.

EDITOR'S REPLY TO AUTHOR:

As Editor I appreciate the opportunity to discussions with authors key points and views on controversial issues to clarify their latest analysis. I believe these conversations help the readers to better weigh points and counter-points in gaining a clearer view of current issues and realistic possibilities for policy changes or not. Following Dr. Gardner's kind discussion above on his views related to his 2918 book and the Trump Presidency, and on his constructive counter-points to my Book Review of his work, *World War Trump: the Risks of America's New Nationalism*, I would like to add below six clarifications to help balance my own views in regards to Dr. Gardner's kind response:

1. Dr. Gardner and I have been friends for nearly 30 years and we have a running bet in pricy French wines on whether President Donald Trump will win or not a second-term in 2020. I told him: "I fear he will be reelected regardless, because the opposition party is hopelessly split between traditional Centrist Democrats and new Leftist Socialists-Progressists, plus tens of inexperienced Democratic Presidential competitors." He agrees on this in his point VII reply above. I also remember how many on the Right declared Barack Obama a one-term Black liberal President prior to his historical dual victories of 2008 and 2012, and also how many Democrats declared Hillary an equally historical "inevitable" future female President and inheritor of Obama's mantel. Yet she lost in 2008 to Obama and in 2016 to Trump. This confirmed to my mind that despite decades of following and studying American politics and having worked twice in the Gore and Hillary Presidential campaigns as a low-level "cog" in their incredible political "machines" I still do not understand the American public opinion's knee-jerk reactions to candidates running and unexpected winners. As I looked at the faces and retractions of pundits in 2016 and 2018 I am not alone, even among so-called "specialists"! Either way, it will be both Dr. Gardner and I who win together by drinking the same great wine on the basis of whatever result of our bet!!
2. My foreboding that Trump has a very strong chance to win again in 2020, despite constant Media predictions of his "inevitable" impeachment by the Mueller Special investigation and/or politically by a hostile Democratic House, is not based on re-mouthing "Trumpist" skewed propaganda or that of his now infamous ex-advisor Bannon, or on ignoring that over 2,500,000 electors voted against him in 2016 (mostly in California so they do not really count because the entire state got all electoral colleges assigned to the Democratic challenger of Trump anyway), and that by 2020 he still has not succeeded in expanding his national approval rate above his solid, but limited 35%-to-40%. Instead, my forebodings are based on

Trump's almost revolutionary mastery of unconventional divisive politics that confuse *ad arte* his opponents, the Media and the population at-large; on his control of the Republican party (that will NOT desert him – as Dr. Gardner hopes – because despite their misgivings on his destructive policies, like the 2019 partial U.S. Government shut-down, they know that the Republican base is with Trump and that the National Republican Party has stressed in January its official full support ONLY of President Trump as the sole Republican candidate for the 2020 Presidential Elections; and yet I can see how the recent crisis has exposed the beginning of doubts and divisiveness among Republican officials as well); and on his control (53 seats out of 100) of the U.S. Senate where any impeachment vote by the House will die unless a majority agrees in the Senate as well (again only President Richard Nixon in 1974 was ever impeached, while Presidents Andrew Johnson in 1868, Ronald Reagan in 1986-90 and Bill Clinton in 1997-98 were all acquitted in the end due to the lack of a majority voting impeachment in both chambers of Congress). As Trump has not yet been indicted of any wrongdoing *two-years* into the *frustratingly slow* Mueller investigation (condemned now by both Republicans and Democrats for not yet either indicting or clearing Trump of the alleged charges), the President's "impending" impeachment remains just as tantalizing as before, and even if it could still pop-up again anytime to potentially destroy his 2020 Presidential re-election bid, such outcome would leave the more "traditionally-respectful" and arch-conservative Vice-President Pence to quickly refasten the Republican party together at the finish line.

I do agree with Dr. Gardner on his criticism of Trump as one of the most destructive U.S. politicians, just as his 1830s controversial idol President Andrew Jackson was, and yet even today Jackson is still seen as central in national history (from his victories as general on Great Britain in New Orleans in 1815 to conquering Spanish Florida in 1818-19, despite his presidential destruction of the U.S. Central Bank and the horrors of the 1830s "Trail of Tears" Indian removal and Second Seminole War). Far from agreeing with Trump's agendas and his "in-your-face style", and despite the fact that as Dr. Gardner rightly points out a majority of the polled public opinion usually opposes Trump as a person and his policies, I see Trump as an unprecedented "force of nature" that can never be dismissed, or defeated following traditional political rules of the past (as done against less-artful predecessors), or even "tamed" (as attempted by his closest Advisors). To clarify further, I do not see Trump as the "masterful politician" able to emulate a legendary *goledor* in any national soccer team that is destined to bring it to triumph by scoring countless goal-points against the opposite team; instead I see him as an "artful goalkeeper" that to keep his team winning has mastered the near-impossible task of "just blocking" the opponents from scoring any goal points at all! And yet, Trump's *bravura performance* as "artful goalkeeper" runs daily on the thin edge between victory and defeat, while he energetically rejects any national or partisan doubts of defeat, or criticism of the President's own instinctual politics and narcissistic *persona*. In the end, I think it most likely that the Democrats, especially with their continuing slide to the Progressist Left, will not be able to defeat Trump, regardless of any open Russian probe, scandals or corruption-charges to implicate the President himself (all still unproven by either Mueller or the House). On this Dr. Gardner and I do not stand much apart as our fears are shared, but we disagree on the *effectiveness* of the traditional U.S. electoral college (created 230 years ago in 1787 and dubbed such in early-1800s vs. constitutional reform theories to switch to a proportional/popular vote) to deny Trump another victory, as long as he holds fast to his bed-rock conservative support.

I am convinced that the only one who can really defeat Trump is Trump himself, should he ever conflate his divisive policies and narcissist *hubris* into a dramatic political miscalculation from which he could not back-out or recover (and this might be the end-result of his 2019 partial U.S. government shut-down, or the border security wall crisis, or geo-strategic destabilization after a U.S. withdrawal of forces from Syria and Afghanistan)! Unfortunately, Trump also knows this well and always banks on the old truism that in the U.S. political arena: "A year is a lifetime and two years before the next elections nobody will remember the controversies of today!"

3. My statement that I would rather stay at the beach sipping *piña coladas* waiting for the nukes to fall was purely in jest and reflects not any callousness towards Dr. Gardner's fears of a nuclear war stoked by Trump's inane foreign policy, but my own resigned belief that Trump is focused more and more on domestic politics and not foreign confrontations, thus waning in my eyes and in the U.S. public the very risk of nuclear war. Unless of course a tragic miscalculation on Trump's *appeasement* diplomacy towards North Korea might embolden the "hermit kingdom" to attack South Korea in the wrongful belief that a neo-Isolationist America would just sit it out (yet that was the same North Korean devastating political miscalculation that precipitated the 1950 Korean War)!

Yes, I agree with Dr. Gardner that President's Trump's inane insular diplomacy, off-the-cuff tweets on vital international security issues and impulsive withdrawals of forces from still very fluid combat-zones (Syria, Afghanistan) hurt U.S. military-economic leadership of the West and globally, while rattling also its many allies' (Mexico, Canada, E.U., NATO, Kurds in Iraq and Syria) confidence in America's long-standing diplomatic coordination, leadership and military support without offering alternative constructive solutions with its allies, U.N., Russia and other Powers to help defuse regional crises (Middle-East, Ukraine, Iran). While Trump was masterful in cajoling the TransAtlantic Allies to spend more on their long-agreed defense budgets, his threats of abandoning NATO otherwise was reminiscent of the failed 1969 Mansfield Amendment in Congress as tactic to force more Allied expenditures, but this has rattled the Allies on their bedrock certainty of alliance defense under NATO's Art. V and U.S. nuclear umbrella. I agree with Dr. Gardner that Trump's firing of Secretary of Defense General James Mattis is more damaging in weakening the Allies' belief that behind the U.S. fractured domestic scene, the Pentagon and State Department would always shield them from any negative impact of Presidential blusters and threats.

I do not disagree with Dr. Gardner that NATO's Enlargements (supported by both U.S. Democratic and Republican Administrations under 3 Presidents, Clinton, Bush "Jr." and Obama) has precipitated under Premier Putin Russia's open opposition to the West, but I would always support NATO and E.U. Enlargements regardless, as their own sovereign national decision and because Putin's anti-Western policies would have happened anyway whenever it suited Kremlin strategy to destabilize Europe. The enlarged NATO and E.U. are both stronger with newer members, despite "populist" nationalist retrenchments, while a smaller NATO and E.U. would long have been pushed on the ropes much earlier and easier by Putin's drive to destabilize ex-communist Eastern Europe and Baltics. I also value Dr. Gardner's many proposals for diplomatic rapprochement and cooperation between West and Russia and China on regional crises, and do not see him as "sympathetic" to Putin's wily disruptive diplomacy (and yes, I know the difference between "sympathy" and "empathy" over Russia's bemoaning of her past glory, but I have neither for Putin – a "master tactician" – and with the current political revolt by the Democrats and part of the Republicans to prevent President Trump to do anything with Russia, I doubt anybody in the U.S. today looks kindly to any "empathy" for Russia among our public opinion, Media, political parties or Pentagon, except paradoxically just in the Oval Office).

Moreover, although I am well aware of Dr. Gardner's geo-strategic warnings over the years of the coming confrontation between the U.S., NATO and West vs. an emerging alliance between Russia, China (with Iran and Syria tossed in), I don't see anybody over the years in Washington as having headed any warning, given the well-known self-righteous belief of policy-makers "practitioners" to dismiss scholars with contrary views. I also do not see any current geo-strategic scenario capable to precipitate dire security outcomes related to Russia (over Eastern Ukraine and Crimea—Putin is skillful enough to let the pot simmer knowing that NATO and E.U. will not resort to military confrontation beyond Western economic sanctions and rearming the Ukrainians), or China (over the current trade-war or Taiwan—Xi Jinping is wise enough not to challenge the island, unless its Taiwanese independentists declare official independence, which they have not done as yet since their emergence in the 1990s), unless the ill-conceived U.S. withdrawal from Syria might precipitate a three-way street clash between Iran, Syria and Turkey against Israel, the U.S. and Kurds (themselves also squeezed by Turkey, Iraq and Iran), or spill-over to Saudi Arabia. And yes, I agree with Dr. Gardner that America's lack of consistent strategic vision since Bush "Jr." risks under Trump to push closer and closer Russia, China, Iran into that fateful anti-Western alliance Dr. Gardner warned.

And yes, I also agree with Dr. Gardner that Trump's simplistic personal diplomacy with Russia, North Korea, China and Iran further weakens him as a "reliable" and "predictable" world leader, and will not shield him from being manipulated and taken advantage by the wily Putin, Xi Jinping and Kim Jong-Un who are better suited as ex-communist to pursue minimalist diplomatic negotiations and limited face-saving concessions to the new U.S. *in jénu*.

Yet, even if Trump slowly retrenches the U.S. into a strategically disadvantageous neo-Isolationism, any attack on Israel, Saudi Arabia, NATO, South Korea or Japan remain vital treaty red-lines that commit the U.S. to war, and all of America's rivals and enemies are well-aware of this in their evolving strategic calculations and thus will striving to gobble the most at Trump's *impromptu* yard sale, while avoiding the worse as a war.

4. I morally agree with Dr. Gardner that a national gun-control law is the only way to stop the constant bloodletting of gun-crime and school massacres. But I disagree that it will *ever happen* because the National Rifle Association (NRA) remains dominant in U.S. domestic politics and will keep preventing either a national gun-control law even if the Democrats win in 2020 on such popular, but implausible promise, once the NRA fights it in the courts and the increasingly conservative U.S. Supreme Court as violating Art.2. There are already gun-control laws in several U.S. states, but nothing radical as a major serious ban even on automatic rifles, despite massacres as horrendous as Las Vegas. The bump-stock ban is only cosmetic. And my cynical criticism does not mean that I support, or am an NRA member, which I despise, but I am painfully aware of how effective the NRA has prevented for decades any gun-control policy similar to the whole bans in Europe and Japan, even after President's Reagan failed assassination, or Leftist Senator Bernie Sanders' admission that he always opposed gun-control in his own state. I just have no hope left.
5. While I admit ignorance of earlier historical proposals by Presidents Jackson in the 1830s and Wilson in 1913 to limit the U.S. Presidency to a one 6-years term, all these proposals were never passed as full Constitutional changes by either of their proponents. I remain convinced that no U.S. government, or Congress controlled by either party would ever succeed in pushing such policy through in the future, because once in power any U.S. party views its own political success as requiring a two-term electoral mandate of its policies since the last century. Regardless, I applaud Dr. Gardner's historical research on this topic to be developed in his next book.
6. Finally, I applaud Dr. Gardner's many creative and interesting proposals for future constitutional changes to the U.S. political system to counter America's current political morass, and his next book-project to explore this. But I strongly disagree that this might be ever politically possible in America (especially unicameralism), not due to any constitutional technicality (Dr. Gardner masterfully shows 4 paths to achieve this with or without Congress), but only due to the constant lack of any political will in the U.S. for serious reforms over the last decades, given such a fractured political landscape in the wake of the current impasse on a national Health care ("Obama Care"), or the immigration crisis with government shut-down. Certainly there is merit in debating Dr. Gardner's various U.S. reform proposals, like the one to reduce further Presidential terms to a 5/6-years single-term (the 1951 Constitutional Amendment to limit Presidential terms to 2 max. was a response to Democrat Franklin D. Roosevelt's unprecedented 4 terms and this unpopular successor Harry Truman in the wake of the Korean War), or eliminating the Electoral College in favour of a more representative proportional popular vote system, or reducing the impact of vetoes, or moving from a bicameral Congress to a unicameral one by eliminating the Senate. In my opinion all these are too revolutionary as constitutional changes for the U.S. Congress and 50 states to accept today or in the future, although they should be debated in detail in Dr. Gardner's next book. Moreover, I do not see the current Democratic party with its Socialist-Progressist wing ever accepting any shrinking of their pet social entitlements, or cutting the large government size (both necessary to reward its "Identity Policy" outreach to voters), especially if they want to revamp the costly "Obama Care" health insurance and promote green-energy, nor do I see the post-Reagan Republican party and its cost-conscious Tea-Party wing under Trump's vise to be able to cut U.S. deficits (except by cutting U.S. military commitments abroad)!

Editor Marco Rimanelli

AUTHOR'S SECOND RESPONSE TO EDITOR'S FOLLOW-UP REPLY:

Dear Marco,

I thank you once again for giving me a chance to fully respond to your book review. Yours is an excellent and reasonable response (unlike your previous Book Review in parts) and although I think I can still poke a few holes in your argument, we can't debate forever!

Once again, I think whether such a U.S. constitutional debate as proposed in my book, *World War Trump* (and hopefully to be developed further in a future book) will become actual depends on the extent of the general legitimacy and financial crisis that is confronting the U.S. and other liberal democracies.

Such a constitutional debate is now taking place in France, with some proposals that I made in *World War Trump* for the U.S. political context currently being proposed by the French "*gilets jaunes*" (the spontaneous grass-roots "Yellow Vests" movement) for the French political context (my proposals for American constitutional reforms were made months before the yellow vest movement broke out).

This does not mean that these similar proposals (such as to establish a unicameral system, limits of mandates to single terms and a more equitable system of taxation) will eventually be adopted, but they are now part of a national debate that will continue to impact French politics for quite awhile.

In my view, if French President Macron does not soon adopt at least some of these yellow vest proposals, the Far-Right will win the next French Presidential elections. The latter movement could not only impact the present nature of the European Union (E.U.), but it could also spell the end to NATO if more and more European countries begin to adopt populist/nationalist stances in addition to France. Some member of the yellow vest movement have specifically called for dropping out of NATO.

Yet it is precisely to prevent NATO's potential break up that I urge the Trump administration to take up Putin's New Year offer for talks. The present *status quo* of the "Open" NATO Enlargement that you so strongly support is NOT tenable!!! It is dangerous and provocative!

This issue is not only because of a negative Russian reaction, but also because of anti-NATO movements throughout Europe! A continued Allied military build up (with Trump urging NATO members to spend as much as 2%-4% of GDP on defense!) will simply not be accepted by all European NATO members and could lead to a number of states leaving NATO and it will be resisted by Russia in a new arms race. In short, a compromise with Moscow must soon be reached over both the "Open" NATO Enlargement and over Ukraine as I have previously argued.

At the same time, U.S., NATO and E.U. need to develop a concerted approach to reconciling with Moscow.

This is our most substantial difference as you yourself have indicated!

But given domestic U.S. accusations of Trump's complicity with Moscow and the sycophantic way in which Trump appears to deal personally with Putin, no real "deal" can be made between Trump and Putin as it appears dubious that even Republicans in Congress will accept it. While Trump can start negotiations with Putin, any potential U.S. "deal" with Russia must wait until after the 2020 Presidential Elections for domestic political reasons (assuming Trump does lose the elections).

The NATO issue represents another reason why the Democrats must mobilize effectively against Trump, but not in a self-righteous and blatantly anti-Russia manner as some Democrats are calling for. Rather, Democrats (and concerned Republicans) should be urging a truly diplomatic approach toward the establishment of a lasting peace between Russia and Ukraine that involves the establishment of a neutral, yet decentralized Ukraine.

And finally, your analysis as to why Trump could still win the 2020 Presidential Election only reconfirms my view that Democrats, anti-Trump Republicans and Independents must begin to urge the implementation of a single 5-6 years Presidential term NOW!

Call Gardner

Chair and Professor, Department of International & Comparative Politics
American University of Paris, France

EDITOR'S CONCLUDING REPLY TO AUTHOR'S SECOND RESPONSE:

Dear Hall,

I am glad you appreciated my Editor's Notes and clarifications to your Reply, where I was showing where we agreed vs. disagreed, not on the merits of your good book (I value and respect your works and scholarly research in all your books), or the morality of your views (which I mostly share), or your many creative reforms proposals (even when I disagree with them), but mostly on my own pessimism over their actual political applicability in the current extremely divisive U.S. political situation. Indeed, however we look at President Trump, or try to anticipate his next moves and motives behind them, Trump always brings out the most visceral reactions in everybody from either side!

Kudos to you for your constitutional reform comparison with the "*Gilets Jaunes*" (I think *Le Monde* might like an article of yours comparing both U.S. and French constitutional urgencies and reform proposals).

I agree with you that "U.S., NATO and E.U. need to develop a concerted approach to reconciling with Moscow" and must take Putin's Proposals to "task" as a diplomatic opening to push for some type of formal "non-aggression" treaty between Russia, U.S., NATO, E.U. and Ukraine (despite the bad reputation for some infamous past pacts of 1939 and 1940 with Nazi Germany and Japan, the Kremlin tends to like such dated international security guarantees, and despite virulent Russian propaganda attacks against NATO and E.U., Putin knows full well that NATO is neither aggressive, nor strong, or poised like Nazi Germany to launch any "surprise" attack on Russia, which until the 2014 Crimean Crisis had been praised as its most-valued NATO Partner).

However, like you I doubt that President Trump's self-serving and mostly reactive foreign policy (bereft of vision and deaf to the earnest advice of professional military-intelligence advisors) could build such vitally needed Western diplomatic momentum, balanced negotiations and domestic political support to pull this off.

Nevertheless, U.S./West talks with Russia must start ASAP, first to fasten together on *some common negotiating grounds* the U.S., NATO and E.U., followed somehow by a reluctant Ukraine to find some realistic security middle-ground for all (Putin and you propose neutralization and non-integration of Ukraine in NATO as a future full Ally, but that runs contrary to Kiev's hyper-nationalist views and hope for total NATO protection from Russia's destabilizing thrusts, so it needs to be balanced with Ukraine's parallel economic integration in the E.U. (but not full-membership) as sweetener—if coupled with lifting Western sanctions in Russia, plus possibly placing (non-Russian) U.N. Peacekeepers in Eastern Ukraine with some-type of Ukrainian border "neutralization" that both Putin and Kiev might accept, despite Putin's views of the E.U. as "Trojan Horse" for NATO. But the real clencher is any unlikely Ukrainian recognition of her loss of Crimea or "neutralization" of its East Ukraine areas seized by pro-Moscow secessionists, because as both of these nations are Slavic they rarely back-down by temperament, while Russia's post-2008 regional aggressions only exacerbates Ukraine's grief over her past exploitation by the USSR.

I also remain *very doubtful* that *unless the U.S. openly pushes* for such major policy-reversal, neither NATO or E.U. will politically accept to abruptly close their own quite slow "Open Door" process for future membership by any ex-Soviet Partners/Associates, because both organizations see this as a violation of their Partners' own sovereign right to eventually apply for membership, while NATO and E.U. in-turn reserve their right to unanimously vote for either acceptance or decline, despite widespread concern over the destabilizing costs of any future enlargement to Ukraine. Indeed, such concerns also affect the sovereign choice for eventual membership of quite anti-Russian Partners Georgia and Azerbaijan, as well as Sweden and Finland, or even Macedonia and Serbia.

Additionally, Trump's erratic, unilateralist and semi-Isolationist foreign policy are already forcing many U.S. allies to pursue on their own independent or coordinated regional diplomacies without U.S. leadership, according to the 29 January 2019 report to Congress by U.S. intelligence Agencies, and later political blow-up by President Trump over his right to pursue policies regardless of intelligence reservations.

I also think that NATO budgets now pushed by Trump to the pre-agreed 2% GDP level are needed over the long-run to strengthen the Alliance, if implemented slowly for the financially weaker Allies, but I agree with you that if pushed up to 4% GDP would create a financial-political backlash among populist Allies, and yes we don't want Marine Le Pen to be in power in France and whittle down both E.U. and NATO!!!

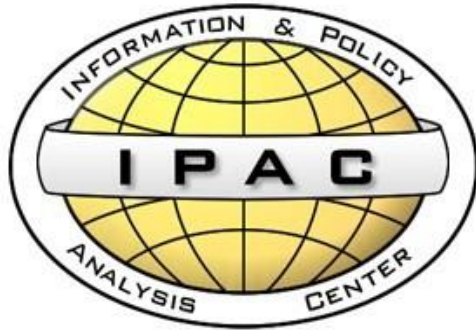
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Left to Right: IPAC President Dr. Sadri, IPAC PR Director Ms. Malisci meeting with Mr. Stewart, International Business Manager of Enterprise Florida

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