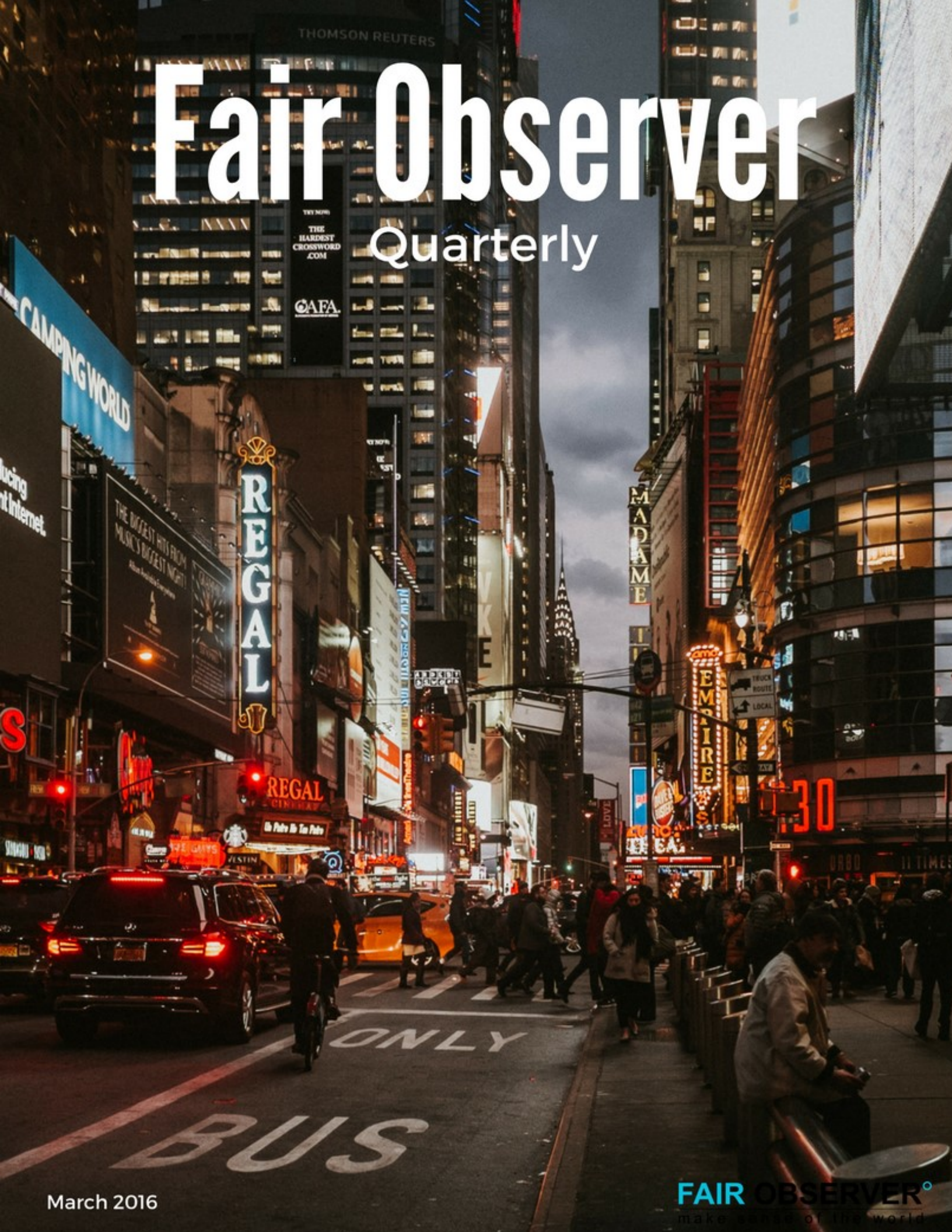


# Fair Observer

Quarterly



# Fair Observer Quarterly



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**Atul Singh** (Founder, CEO & Editor-in-Chief)

**Abul-Hasanat Siddique** (Managing Editor, COO & Co-Founder)

**Anna Pivovarchuk** (Deputy Managing Editor, Culture Editor & Co-Founder)

Fair Observer | 461 Harbor Blvd | Belmont | CA 94002 | USA

[www.fairobserver.com](http://www.fairobserver.com) | [info@fairobserver.com](mailto:info@fairobserver.com)

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# ABOUT FAIR OBSERVER

Fair Observer is a US-based nonprofit media organization that aims to inform and educate global citizens of today and tomorrow. We provide context, analysis and multiple perspectives on world news, politics, economics, business and culture. Our online journal—[www.fairobserver.com](http://www.fairobserver.com)—is recognized by the US Library of Congress with International Standard Serial Number (ISSN) 2372-9112.

We have a crowdsourced journalism model that combines a wide funnel with a strong filter. This means that while anyone can write for us, every article we publish has to meet our editorial guidelines. Already, we have more than 1,600 contributors from over 40 countries, including former prime ministers and Nobel laureates, leading academics and eminent professionals, journalists and students.

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# Fair Observer Quarterly

*Atul Singh*

*March 31, 2016*

March is the month when the plane of the Earth's equator passes through the center of the Sun. This day is called the vernal or spring equinox when night and day are of equal length. The March of 2016 marks the month when we release our *Fair Observer Quarterly*.

As a journal, we publish daily. We also provide an overview of the week along with our best articles in *The World This Week*. Yet many of our readers have asked us to release a quarterly. We find merit in their arguments. In a fast-paced world, we miss many trends and key developments. Yet we find time every now and then, and our quarterly is intended to enable you to make sense of the past three months.

Harold Macmillan, a former British prime minister, was once supposedly asked what might blow a government off course. His apocryphal response was "events, my dear boy, events." This remark could well apply to journalists and to most people. Events can indeed blow us off course and they often do. In 1914, few imagined that the assassination in Sarajevo would trigger World War I.

Today, 24-hour news media, smartphones and social media seem to have amplified the number of events that we are bombarded with on a daily basis. As a result, we now live in a time truncated society. Our attention faces far too many demands and many of us find the deluge of information a touch draining. Some find the world overwhelming and we retreat to our tiny familiar islands.

Many feel that our lives are buffeted by events over which we seemingly have no control. Students find themselves acing tests and cracking exams in a grim pursuit for future employment. Parents run around ferrying their children from schools and homes for all kinds of activities. Those who work for employers find their days filled with tasks. Others struggle to find jobs or better paying jobs. Even senior figures in organizations suffer the tyranny of meetings, minutes and emails.

In this world of saturation of information, distillation matters more than ever. So, *Fair Observer Quarterly* is an effort to provide you with nutritious content for your mind. It is



explanatory journalism for the curious and the cosmopolitan. We have chosen some of our best articles so far and showcase them here.

As you are well-aware, 2016 is turning out to be an eventful year. Terrorist attacks are causing consternation. The global economy is sputtering with even the Middle Kingdom slowing down. Europe continues to suffer from an influx of people from conflict-ridden areas. In Brazil, scandal is in the air and affecting politicians of all hues. In South Africa, “Guptagate” is the name of some shady wheeling and dealing that is impugning the integrity of the president.

Meanwhile, the US presidential primaries rumble on with the Republicans providing a more splendid spectacle than the Democrats. Russian President Vladimir Putin is no mean showman, and he has declared that his troops are departing from Syria. Now that there is a peace deal, some are hoping for peace in our time.

Our job is to make sense of such events, issues and trends. *Fair Observer Quarterly* is another arrow for our bow to do so. Here’s hoping you enjoy it.

*Atul Singh is the founder, CEO & editor-in-chief of Fair Observer.*



## **Are Saudi Arabia and Iran on a Collision Course?**

*Gary Grappo*

*January 7, 2016*

*With Saudi Arabia and Iran locked in a diplomatic row, concerted international intervention will be critical to avert a regional and global calamity, says former US Ambassador Gary Grappo.*

Since the Arab Spring some five years ago, the Middle East has experienced a wave of tragic events. Many of them—Syria’s bloody civil war, Libya’s descent into chaos, the Islamic State’s diabolical barbarism, and Yemen’s senseless proxy war—have led to the loss of thousands of lives and created a massive refugee and displaced persons crisis. Others have sparked great instability and uncertainty, particularly Iraq and Egypt.

The good news in all of this mayhem may have been that at least the region’s governments had managed to avoid open conflict between one another.

That good news may have run its course. Two nations, Iran and Saudi Arabia—among the Middle East’s most powerful and well-armed—have now set themselves firmly on a collision course.

The events of the past week—Saudi Arabia’s execution of a well-known and highly regarded Shia cleric, Sheikh Nimr Bakr al-Nimr, Iranian torching of the Saudi Embassy in Tehran and consulate in Mershad, and the kingdom’s response in closing the Iranian Embassy in Riyadh and severing diplomatic ties—were only the last of many incidents that have set these two regional behemoths at odds.

Way stations already long-passed on this course include: the countries' opposing policies on Syria; the proxy war in Yemen, in which Iranian support for the Houthi rebels triggered a Saudi-led intervention; conflicting views on the government of Abdul Fattah al-Sisi in Egypt; and the kingdom's barely disguised opposition to the nuclear deal struck between Iran and the P5+1. Underlying all of this is the Saudi perception that the kingdom has lost its closest strategic ally of some 70 years: the United States.

## **SHIA ISLAM AND THE IRANIAN REVOLUTION**

It is important to understand two issues that undergird the Saudi-Iranian conflict: Saudi distrust and even hatred of Shia Islam, and Iran's revolutionary zeal. The two feed one another and fuel their dispute at every encounter.

Saudi antipathy toward Shia Islam and, therefore, toward Iran stems from its fundamentalist Wahhabi religious roots, despite the fact that some 15% of Saudis—most in the country's Eastern Province—are Shia. Wahhabis typically view the Shia as rafida (rejecters) or even apostates, among those who have perverted Islam. In that sense, they may be worse than unbelievers. The aversion runs deep, from the very top of the kingdom's leadership, through the religious establishment, which maintains an almost symbiotic relationship with the ruling al-Saud family, down to rank and file Saudis.

During my time in the Kingdom of Saudi Arabia (2003-2005), I experienced all manner of criticism and hatred for Shia at all levels. In many cases, the accusers had never actually met a Shia Muslim.

This antagonism has ebbed and flowed depending on the actions of Shia, both in the kingdom itself but in Iran in particular. After he established control of the Eastern Province, Ibn Saud, the founder of the modern Saudi state, eventually allowed the country's Shia to expel Wahhabi preachers and quietly practice their faith. King Abdullah, the most recently deceased Saudi king and before that crown prince, sought ways to improve the conditions of Saudi Shia and better integrate them into Saudi life.

Major events, like the Iranian Revolution of 1979 and the election of fire-spewing Mahmoud Ahmadinejad to the Iranian presidency in 2005, reinforced Saudi fears and prejudices. Saudi Arabia's antagonism has been further fired by Iran's adventurism in Lebanon via its extremist Hezbollah Shia client; sponsorship of terrorist acts in the

kingdom like the 1998 Khobar Towers attack that killed 19 American airmen; military and financial support for the Shia-aligned Alawite regime of Bashar al-Assad in Syria; active support for the growing Shia militia movements in Iraq; and most recent backing of Shia Houthi rebels in Yemen—at the kingdom’s backdoor, no less.

In fact, the Iranians, whether by intent or not, seem to have seized every opportunity to confirm to their Saudi rivals that Iran—and by extension Shia Islam—is indeed a threat to Saudi Arabia and all of Sunni Islam. To cite another example, the Iranian response to the Nimr execution—the invasion and destruction of the Saudi Embassy and Consulate—must have resurrected memories of the 1979 Iranian take-over of the American Embassy in Tehran and the 2011 attack on the British Embassy.

One may reasonably ask, despite “regrets” expressed by the Islamic Republic, is this how Iran deals with the actions of governments with which it disagrees?

The driving force behind Saudi Arabia’s recent actions, however, may have more to do with external events. The execution of Sheikh Nimr was not inevitable. While he was certainly involved in activities that might be characterized as mildly seditious, they hardly threatened the Saud family. In fact, the execution was a message that the Saudis will no longer tolerate any activity that suggests opposition to Riyadh or undermines the Wahhabi Sunni character of the kingdom. This is as important for Iran as it is for the US.

In the customs of the Bedouin Arabian Peninsula, where the Saud origins lie, the lines between allies and enemies are clearly drawn. There is no half-way; indeed, there are no non-aligned. The Americans have been a partner, if not ally, of the Saudis since the time of Ibn Saud. Today, however, the Saudis perceive the Americans backing away from that partnership on which the Saudis have relied for their “strategic” defense.

## **US-SAUDI RELATIONS**

Recent actions by the Obama administration—for example, its abandonment of Egyptian President Hosni Mubarak in the wake of the Arab Spring and especially the nuclear accord with Iran—have convinced the Saudis that America is moving toward a more nuanced position in its relationships with the kingdom and with Iran. Nuance is not a characteristic of Bedouin political culture.

The Saudis are challenging America to choose. The Americans are unlikely to do so under President Barack Obama. And the Iranians are unable to break from their ideologically driven course—now reinforced by the successful conclusion of the nuclear accord and soon-to-be-lifted sanctions—to pursue ambitions likely to further antagonize the Saudi leadership. Both sides seem set, therefore, to collide.

The most frightening aspect of such a clash is its palpable sectarian overtone. It would be seen by many Muslims as a kind of apocalyptic Sunni versus Shia donnybrook to purge Islam of its impurities and “rejecters.” History shows that religious wars are most often the worst since the sides believe they are fighting in defense of God and his one, true faith. The battle would likely rage out of control as fringe extremist groups—think Islamic State, al-Qaeda and Hezbollah—joined the fray on multiple and often unpredictable fronts.

To avert such a crisis, America must find a way to reassure Saudi Arabia of its continuing partnership with the kingdom, even if on somewhat different terms than previously, and without stepping away from its commitments like the nuclear accord. That and uber-active American diplomacy, with support from the European Union, Russia and other Arab states might possibly steer the bitter rivals away from open conflict toward diplomacy. That will require that all issues—Syria, Yemen and Saudi Arabia’s treatment of its Shia minority—be placed on the table for discussion. Moreover, both sides must be called to account for their support of sectarianism, Islamist extremism and violence, all of which are major contributing factors to this conflict and the Middle East’s instability and deteriorating state.

*\*Gary Grappo is a former US ambassador and a distinguished fellow at the Center for Middle East Studies at the Korbel School for International Studies, University of Denver.*



# Getting Out of Poland's Remand Prison

*Pawel Kumiszcz*

*January 13, 2016*

*Maciej Dobrowolski spent 40 months in prison because he was accused of committing two felonies. The excessive use of detention in remand is under the spotlight in Poland.*

On the far-flung northern outskirts of Warsaw, Poland's largest remand prison, Warsaw-Bialoleka, serves as a distant memory of the country's communist past. Built in the 1950s, it held 600-plus Solidarity leaders and activists following a crackdown on the movement during the communist regime's imposed martial law three decades later.

Today, the facility detains well-over 1,000 inmates, and while it's a different to the 1980s, some of them are held without sentence for much longer periods of time than the Solidarity internees.

Maciej Dobrowolski, 37, was living behind the impenetrable concrete walls and loops of barbed wire of the Warsaw-Bialoleka remand prison for over half of his 40 months inside.

Last September, he was unexpectedly released on bail, and he wholeheartedly credits his friends and the media for it, not the Polish judicial system.

Now, stooping over a table at an almost half-a-century old, 1970s-styled Warsaw restaurant, situated on the same street as the Polish president's Belweder Palace, he cracks a smile while recounting the events of the past three and a half years with a lot of humor. But it seems like there's another side to him, one that rarely surfaces and is much more emotional and filled with anger over what he feels was injustice.

Speaking with a hoarse voice that tends to thin out, he repeats what he has been saying during the weeks after his release: “I still can’t believe that it could happen in my country.”

## **THE CHARGES**

It was 6am when someone pounded at his Warsaw apartment’s door. The officers of the Central Bureau of Investigations poured inside, handcuffed him, told his fiancée to stay still, and searched every room and later the basement and car. Nothing was found.

Nevertheless, after a few hours, Dobrowolski was on his way to a detention facility, just like 40 others arrested that day in similar circumstances. Upon being escorted to the police van, he just had time to kiss his fiancée goodbye.

They both thought it was a misunderstanding. It was late in May 2012 and in September they planned to wed. The bride and groom’s outfits were ready, the banquet hall and orchestra booked. A closet full of vodka crates awaited the celebration. A few days earlier, Dobrowolski had been handing out the invitations.

But now, he was facing a very different reality. In court, he heard charges of taking part in intra-community drug trafficking from the Netherlands to Poland, together and in agreement with members of an organized crime group. The felonies had a jail term of up to 15 years.

“It was a total shock,” admits Dobrowolski, who doesn’t have a criminal record. “When they were presenting the charges against me, I was thinking this must be some sort of a candid camera prank and any second someone will yell, ‘Got you!’”

Only one thing, or rather person, sounded familiar. As it turned out, the charges resulted from the testimony of gang member-turned-crown witness Marek H. (nicknamed Hanior), a person Dobrowolski had known.

## **OVER 700 KILOS OF MARIJUANA**

Attending his first football match as an 11-year-old, after asking his father, Jerzy Dobrowolski, to take him to the stadium, Maciej has become an avid Legia Warsaw supporter over time.

“Legia turned out to be one of the most important things in his life,” admits Jerzy Dobrowolski.

His son’s commitment to the club ran much deeper than most other fans. He wrote for *Nasza Legia* (Our Legia) magazine and joined the Legia Warsaw Fans Association, later taking on the responsibility for logistics of traveling to away games. That role made him rise to prominence among the club supporters.

During this time he met Marek H., who attended Legia games and events connected with the club, but as Maciej Dobrowolski says, “It was more of a passing acquaintance.”

In 2010, Maciej Dobrowolski played a big role in organizing a charity game between Legia and the Dutch ADO Den Haag. The purpose of it was to raise money for a veteran Legia fan, Wojtek Wisiński, who was confined to a wheelchair because of a serious disease.

To work out the details of the friendly encounter, Dobrowolski traveled back and forth between Poland and the Netherlands many times. But according to Marek H., those trips had a different purpose and he said that having a good knowledge of English, Dobrowolski accompanied him on numerous occasions and helped with the purchase of over 700 kilograms of marijuana that was later trafficked to Poland.

Dobrowolski admitted that he went with Marek H. to The Hague two times by car because it was cheaper than the alternatives. However, Dobrowolski denies having any knowledge of or having anything to do with the drug trafficking scheme.

## **THE PRISON**

The metal-framed bunk beds, lockers, toilet and a sink blended perfectly with the grayish decor at the Warsaw-Mokotow remand prison, south of the city center. The overall gloom of the cell Dobrowolski found himself in was noticeable at first sight.



Wearing the only clothes he had and being without any other possessions made his predicament all the more uncomfortable, but that was his new stark reality.

After presenting the charges against him, the court remanded Dobrowolski in custody for three months. The strong suspicion, based on evidence, that he committed felonies and the risk of him interfering with witnesses were the reasons given. The charges were the basis for his designation as a dangerous detainee.

As a consequence, a new set of rules severely limited his life. One of the rules was no right to make phone calls, but the restrictions went further and impacted his contact with close ones, even restricting the number of hour-long visits. This was hard to accept.

“I was concerned about him,” admits Krzysztof Wąsowski, Dobrowolski’s lawyer, who could visit him at any time during the prison’s open hours. “He couldn’t understand the situation he found himself in. He was ready to testify on the spot and also wanted me to explain that it was all a misunderstanding.”

The dangerous detainee status also kept him isolated from other inmates, with the exception of the people in his cell, but the faces changed a lot as juggling inmates was common practice. Nevertheless, he experienced the internal solidarity among detainees when they gave him clothes and underwear he badly needed. Due to restrictions, his first clothes parcel came after three months.

## **ON THE MOVE**

The bell sound pierced through the remand prison’s inner walls prompting inmates to make their beds. It was the 6am wakeup call and, after he got up, Dobrowolski was told to take all his belongings and put them into a convoy truck.

Three months earlier, during the summer, he had been transferred from Warsaw to Radom, over 100 kilometers south of Warsaw. Now, at the beginning of December 2012, he was on his way to Gdansk, a city on the Baltic coast, over 400 kilometers north of Poland’s capital city.

The trip up north was a result of a leg injury, sustained one day while working out at Radom's remand prison. The local facility lacked the resources to treat his injury and Gdansk was where he could receive the proper medical care.

The convoy that took him in the morning turned out to be a three day prison's tour. Dobrowolski was kept in the dark about the route.

"We stayed overnight at some facilities on the way, where I could sleep, but it took a lot of time to cover the distance to Gdansk," he says. "I remember hearing George Michael's Last Christmas at some point on the radio in the truck as this was the beginning of December. I knew I wouldn't be home for Christmas. It felt traumatizing."

As noted in the case records, Dobrowolski was moved to Gdansk to receive medical treatment and it went on for about two weeks. But then a month passed and then another, but he was still in Gdansk.

"I think that the prosecutor didn't mind me being there as long as possible," he says. "I was far away from my family and hometown. I mean, they could find a treatment for my leg in Warsaw, but instead I was hundreds of kilometers away. It was an attempt to break me."

It's hard to say if his belief is true, but the fact is that his case relates only to Warsaw and it was his lawyer's idea, not the prosecutor's decision, that brought him back to the capital after spending three months in Gdansk.

The plan was to call Dobrowolski as a witness to testify in an unrelated case that was proceeding before a court in Warsaw. It was suggested he had been at the Legia's stadium restaurant when another person smuggled flares in to the stands and then lit them during a game. When asked in court about the situation, he truthfully denied having seen anything. It was a skillfully played move and it worked. Nobody would make the effort to take him back to Gdansk now.

## **DAY BY DAY**

The clinking of teacups and saucers, brought together a bit too roughly, fill the airwaves of a bustling confectionery shop situated on the same street as the 1970s-style restaurant in which his son was recounting the years spent in custody. Jerzy

Dobrowolski is sitting in his coat, with his flat cap placed to his side. The water in his teapot has already sat a few minutes past its burning hot prime and his tea bag is dry, as he is busy recounting the events that followed Maciej's arrest.

"At first, I was sure it had been a misunderstanding and they would let him go soon," says Jerzy Dobrowolski, adding that they decided not to cancel Maciej's wedding ceremony for some time. "I knew he sometimes helped friends with translation, but they don't put you in jail for that. But the amount of drugs he allegedly trafficked was unbelievable, and it was only based on the crown witness testimony, not on physical evidence. I couldn't understand that."

It wasn't until his son got transferred to Radom, after the first few months, that Dobrowolski senior had seen his son for the first time since the arrest. Earlier, with the limited amount of visits, Maciej's fiancée was the only one visiting him.

"He felt innocent and that's what gave him strength, but he was not made out of steel," says Jerzy Dobrowolski, who adds that later on, especially after Maciej found himself in Gdansk, he and his wife would visit him more frequently. "Trying to conceal the tears in our eyes we tried to comfort him. He was doing everything to convince us that he's doing fine and it's just a matter of time until they're going to release him."

By the time Maciej Dobrowolski was brought back to the capital, this time to the Warsaw-Bialoleka remand prison, his case still hadn't been filed yet. It was the tenth month of the investigation carried out by the public prosecutor's office. After the initial three months, the period of remand was extended for another three months and then another three months and then another three months, extending the custody to over a year. The reasons were always the same.

"The court doesn't review them because it doesn't have to," says Michal Korolczuk, one of lawyers representing Maciej Dobrowolski. "The decision to extend the custody in remand is just based on the evidence based suspicion that the act was committed by the charged person and that it entails a severe penalty. There are numerous rulings and court-adopted standpoints which say it's the proper way to proceed."

Every three months, Dobrowolski's never-fainting glimmer of hope was put to a test by the court, but besides that nothing much was going on. The days blurred into a

monotonous daily routine that filled his life and gave him the much-needed sense of his life having any meaning.

“After the 6 o’clock wakeup call, you could spend the whole day watching TV or just lying in your bunk bed,” says Dobrowolski. “Every day I waited for the soap operas and newscasts, but I was also working out, reading books, doing crosswords, and then at 9 or 10 pm it was time to sleep. Winters were better for that part because it quickly got dark, so I went to bed earlier.”

The year 2013 went by and nothing changed. Then, at the beginning of January 2014, after a year-and-a-half of the preliminary investigation, the case was brought to court.

## **FRIENDS TO COUNT ON**

Ignoring the ubiquitous TV screens replaying a football game, a handful of guests chat while sipping on their drinks. Sitting below a picture of one of Legia’s greats, Lucjan Brychczy, at the Legia stadium restaurant is Marcin Rudowski, Dobrowolski’s close and decades-long friend.

Rudowski’s devotion to his cause, which he largely helped to publicize, had been robust and unparalleled. “They wanted to break him,” he says without any hesitation. “That’s why he spent so much time in remand.”

The reasons for Dobrowolski’s arrest were a shock for his close circle of friends, most of them being die-hard Legia fans, just like Rudowski, who had some experience being detained before or after the games. But in Maciej’s predicament there was not much they could do to help him, besides sending in money to his prison account and waiting in hope that it’s all cleared up as quick as possible. However, sitting and waiting was not easy to accept.

As a result of the visiting restrictions, there was no chance to see him, but they found their way around. “Usually we knew where Maciej’s cell was, so we arrived at the prison walls and shouted to him,” says Rudowski. “Sometimes we tried to catch a glimpse of him when he was out in the prison yard. We wanted to let him know that we’re there and that he can count on us.”

In September 2012, at the day of his planned wedding, when Dobrowolski was in Radom, his friends made another effort to show him their support. This time a group of almost 40 people, including those invited for the wedding ceremony and ADO Den Haag fans who had booked their plane tickets and decided to come, arrived near the prison walls and lit up the sky with flares.

One day, lying in a hospital bed with catheters placed in his veins, Rudowski, who was about to undergo a spinal surgery, heard the news of Dobrowolski testifying in the “flare” case after being transported from Gdansk. Without much deliberation he called a friend to pick him up, jumped out of bed in his Legia-green T-shirt, shorts and flip-flops, and sneaked out into the car that drove him to the courtroom.

Soon after the surgery, posing as Dobrowolski’s cousin and attaching his medical history to the application, he obtained a permission to visit him at the Warsaw-Bialoleka facility. “There was no other way I could see him,” he explains. “And I had to see what was his physical and mental condition. He was good.”

However, no matter what Rudowski and others did, the persisting feeling among them was that they could do more and they had a new idea.

## **THE CASE**

As Dobrowolski’s detention in remand kept being extended, his friends hired Michal Korolczuk. He had represented another person arrested on analogous charges on the same day as Dobrowolski, and obtained his release just after eight months of remand.

With hiring him, expectations ran high. However, after the charges were filed in January 2014, the criminal proceedings came to a standstill until July the same year as one of the judges recused himself due to a conflict of interest and a new one had to get familiar with the case. That didn’t in any way prevent the court from extending Dobrowolski’s temporary arrest in the meantime.

But the real blow came when an Appellate Court, which came into play after two years of remand and had been considered to be a safeguard measure against a long-lasting detention, took the same stand.

“We had a whole array of arguments that weighed in favor of releasing Maciej, but they fell flat,” recounts Korolczuk. “His inability to interfere with the police-protected crown witness, lack of any other evidence, examples of other accused with analogous charges quickly released on bail, and the excessive length of proceedings. None of these mattered to the court.”

There was not much hope for improvement of Dobrowolski’s legal situation, until the long-awaited start of the trial in the second half of 2014, when a small crown witness who had been presented in the case files as one potentially incriminating Dobrowolski testified. Asked about Maciej in court, he strikingly denied knowing who he was.

Yet the court’s standing remained firm and unchanged. Dobrowolski’s lawyers were helpless.

## **THE CAMPAIGN**

Basking in the sun, the meticulously cut swathes of green grass suffuse the inner confines of the Legia Warsaw stadium. Above several rows of empty seats on the western side, in one of the many simple but elegant lounges, Lukasz Kowalski is in the middle of his workday. He’s been a journalist for 20 years and he now works with the club.

Just like Rudowski, a mutual buddy, he has known Dobrowolski for about two decades and has forged a strong friendship with him. “Maciej’s situation put that friendship to a test and I’m glad we proved ourselves as friends,” he says with a sort of relief in his voice.

It was Kowalski’s idea to create the #UwolnicMacka (Free Maciej) hashtag that took off via social media and then spread to the mainstream media, elevating Dobrowolski’s case to a wholly unexpected campaign level across Poland. “The only thing we regret is not starting the media campaign earlier,” he admits.

The media campaign wasn’t started earlier for a reason. For many months, the prospect of talking to the mainstream media was a bitter pill that no one dared to swallow. The underlying feelings were those of outrage at the way the die-hard football supporters had been portrayed in general. Although every once in a while the hooligan

image had been fueled by some of them, the willingness of the media to focus exclusively on the negative had produced a maze of mistrust.

The breakthrough came in early 2014, when Rudowski and Dobrowolski's fiancée gave an interview to *Gazeta Wyborcza*, one of the most popular daily newspapers on the market, though arguably the most disliked by football supporters because of their coverage.

“We had a green light from Maciej, but it still cost us greatly to go and talk to them,” says Rudowski. “We were desperate. None of the lawyers gave Maciej a slight chance of being released on bail. We wanted to see if the media could help us. We took the risk.”

The article appeared in the local edition of *Gazeta Wyborcza* and didn't cause much of a stir, but it was quickly followed with another one and then another one after a few months. The groundwork was done. However, it was not until the creation of the hashtag and the setting up of a Facebook profile in May 2015 that the snowball really started rolling.

One of the early ideas of what soon could be called a campaign was to print 28,000 postcards with a picture of Maciej Dobrowolski and the hashtag, sell them for the price of a stamp, and then persuade people to send them to the remand prison addressed to Dobrowolski. It was a way of showing support and teasing the authorities as his correspondence was subject to censorship. Eventually, about 6,000 postcards were sent.

Another move was to reach out to other teams' fan groups and persuade them to hang out banners supporting Dobrowolski during games. “Fans of Gornik Zabrze did it first. Then, the next week, Lech Poznan joined in—and considering the animosities between us, [it] was really remarkable,” says Rudowski.

Pictures of banners hung in support of Maciej from fans of teams, including those from lower leagues, kept coming in. There were also those from regular people holding banners. The most surprising were the drawings from school kids expressing their support.

“In the mornings, I had like 100 messages or even more to open,” says Rudowski who managed the page. “The ones with attached pictures had priority, but I was doing my best to respond to each and every one of them. Only two or three ended up on the page because I was afraid that too many of them will put visitors off the profile.”

The Facebook profile thrived and with the initial mistrust gone, Kowalski, with his tenure in the media, spread the message among fellow journalists. The requests for interviews started coming in from TV and radio channels and newspapers alike.

“It was getting big to the point that we felt that there’s no way of controlling it” says Kowalski. “Even when we declined some interviews, the articles in the press still appeared.”

## **CRIMINAL NO. 1**

May 2015 marked three years since Dobrowolski’s arrest. For the last few months, he only saw visitors from behind the Plexiglas, and communication was limited to a guard controlled talk via telephone. He was sanctioned after one of the visits when his parents, concerned about his health, tried to give him a box of vitamins, but they had not notified the prison authorities about it beforehand.

In fall 2014, Dobrowolski’s fiancée left him. “She didn’t pass the test of time and I cannot really blame her,” sighs Dobrowolski with his head hung low, giving the impression that he hasn’t gotten over it yet. “She just wasn’t the one.”

Early in 2015, the trial proceedings moved forward, but his frustration mounted. Desperately looking for some turning point, he sued Aleksandra Kussyk, the chief judge presiding over the court proceedings over limiting his contact with his family members, sanctioning visits through glass and not being given the right to call his lawyer.

This move didn’t go unnoticed by the media who after the initial outlining of his case were in need of fuel. This came from an unexpected source. In a June interview, Jerzy Leder, the chair of the Criminal Justice Division of the Warsaw’s Appellate Court, largely exaggerated Dobrowolski’s role calling him the number one person in the organized crime group.



A few weeks later, Kussyk stated that the scale and intensity of the publicity given to keeping Dobrowolski in prison on remand is seen by the court as an attempt to influence the case, as is the fact that the accused asked The Helsinki Foundation for Human Rights for help in his case.

“I couldn’t believe how someone could say that in a democratic state governed by the rule of law,” says Korolczuk. “Informing public opinion about a case that is, as a rule, open to the public is in accordance with the basic standards of a criminal trial.”

## **THE TURNING POINT**

When asked about Dobrowolski, the newly elected president of Poland, Andrzej Duda, said in an interview for a local radio station in Szczecin that he heard about his case and that he would ask the public prosecutor general and the minister of justice about it.

It was the end of August 2015. The president’s public acknowledging of Dobrowolski’s case had a huge significance and the spirits in the Dobrowolski’s camp were flying high once again, although just before Duda’s interview the atmosphere had been gloomy.

On August 27, the Appellate Court extended the remand period for another three months, until November 30. The reasons given were similar every time the court extended the remand and included the severity of potential penalties and the need to secure the proper proceedings.

“We were convinced that was going to be it, and then when I heard about the court’s decision I felt like crying,” says Kowalski.

A few days after Duda’s interview in Szczecin, the presidential office sent an official request asking for information about Dobrowolski’s repeatedly extended remand. Shortly, the public prosecutor general turned to the Appellate public prosecutor’s office and referred them to the ruling of the European Court of Human Rights regarding the abnormal use of the detention on remand by the Polish judiciary.

## **THE RELEASE**

Stammering in a monotone voice, with his hand to his forehead, the chief judge of Warsaw’s Appellate Court, Jerzy Leder, read the court’s decision. “The probability of

negatively influencing the case proceedings gets smaller and smaller with time ... and shouldn't be the only basis for extending the remand ... the court decided that in the case of Maciej Dobrowolski the requirement to report at specified time to a police station and obligation to pay the amount of 50,000 zloty [\$12,400] in order to secure release are sufficient to secure the proper proceedings.”

Listening to the court's statement, Jerzy Dobrowolski, Kowalski and Rudowski all nervously shifted, but with every uttered word their anxiety gave way to joy. Although this was the best news they heard since the time of Maciej Dobrowolski's arrest, there was not much time for celebration. Maciej could be released on the same day—they just had to deliver the money. And the judge said it had to be delivered by 3:45pm.

Kowalski, Rudowski and another of Dobrowolski's friends were not alarmed. They had about 40 minutes and enough money put aside to pay the bail amount. However, when they arrived at the court with the required sum in cash, as they were instructed, it turned out that the only way to pay the bail amount was through a bank transfer. So they rushed to a bank, transferred the money and came back to the court building with a confirmation. They were only just on time, but it didn't matter that much.

“We learned that the deadline wasn't really the deadline,” says Kowalski. “They would have waited for us.”

A few hours later, Dobrowolski was released. It was September 29, 2015, three years and four months after his arrest in May 2012.

## **NOTHING NEW**

The solemn walls of the District Court echo the sound of the passing cars and trams. The rectangular edifice the court resides in was built before the Second World War and used as one of the escape routes from the Warsaw Ghetto during Nazi Germany's occupation. Up on the second floor in a modestly furnished room, Ewa Furtak-Leszczynska, the press officer of the Criminal Justice Division, rustles through the filed sheets of paper. She's the only person who could be contacted about Dobrowolski's case as the Appellate Court and public prosecutor's office finished their proceedings and, therefore, do not have the case files anymore.

Having been briefed in advance about the questions, she answers almost flawlessly, using vivid examples to illustrate the reasoning applied by the court for the excessive detention of Maciej Dobrowolski. She said that the gathered evidence made a strong case that he committed the two felonies he was accused of and that the amount of drugs he took part in buying and placing on the Polish market could intoxicate Warsaw's whole population.

However, there is one question she struggles to answer: the reason for the change in the court's decision with regard to Dobrowolski's release on bail.

"The District Court was still of the opinion that the detention on remand should be extended and the Appellate Court initially agreed, but after the defense filed a complaint, the latter acceded," says Furtak-Leszczynska, explaining that she doesn't know the details of the case in a sufficient degree to give her own opinion and that she can only present the court's decision.

"The decision was made in accordance with the public prosecutor's office, which changed its view of the case. Until that point, it maintained a consistent position about the need to extend the remand period."

Dobrowolski, his circle of friends and lawyers have no doubt that the wide media coverage of his situation has been crucial to his release.

"From the legal perspective, nothing new occurred that would justify Maciej's release on 29<sup>th</sup> of September and not on 27<sup>th</sup> of August," says Korolczuk. "The media made our voice heard and the coverage sparked the interest of many other institutions. I'm afraid that without their support, my client would have faced the same predicament. I don't know for how long."

## **HOPE FOR A CHANGE**

The excessive use of detention in remand by the Polish judiciary was deemed a structural problem and has been repeatedly criticized by the European Court of Human Rights since 2000. Over the years, some of the European Court of Human Rights' judgments have been implemented and the numbers show significant progress.

According to the Ministry of Justice data, in 2005 the number of detentions in remand amounted to 35,000 dropping to over 11,000 in 2014. In the same time period, the length of remand shortened from over 1,000 cases that crossed the two-year detention period in 2005 to about 400 in 2014.

Korolczuk admits that things have improved, but some major problems still remain, especially in cases involving organized crime-related charges—and Dobrowolski's case brings them to light.

“The courts rubber-stamped the prosecution's applications, imposing the custody in remand automatically without taking into account Maciej's personal circumstances or considering the facts of the case,” he says. “It was possible given the severity of the potential penalty and the presumption that the defendant may influence the proceedings. Our line of defense and my client's behavior didn't matter. There was no way we could overturn the constantly invoked presumption of influencing the proceedings on any grounds.”

The judge's habit to nearly always follow the recommendation of the prosecutor to order detention and the lack of consideration concerning the defendant's submissions in sufficient detail were identified—among other flaws—in a 2012 report about pre-trial detention in Poland by Fair Trials International, a human rights organization. The report acknowledged the ongoing legal reforms, but expressed concern about the gap between law and practice.

Adam Bodnar, one of the experts that worked with Fair Trials International who also got involved in the effort to release Dobrowolski, says officially asking the court about practical reasons for extending his detention period points to another shortcoming.

“In many countries, the law stipulates a maximum period of detention in remand, and even if the trial goes on, the accused is released when the period is exceeded. In Poland, there are no such guarantees,” he says, adding that he knows cases of people having being held in remand for several years. “The situation when the detention period goes on for over two to three years and there's no sentence in the court of first resort and the accused is remanded in custody raises doubts as far as human rights standards.”

**AND TODAY...**

Back in the 1970s-styled restaurant, Maciej Dobrowolski is finishing his tea. It's been some time since he left prison, but he still wakes up at 6am, eats modest meals and can't get the turning key's metallic latching in the cell lock sound out of his head.

"I'll have to start building my life anew," he says. "On one hand, I'm stronger and I've gained a new perspective on life. On the other, I'm angry over my situation and the situation of others who face the same predicament and whose cases don't have any media exposure. I hope that my example will change something in the way such cases are handled."

Dobrowolski has been released on bail, but some of the 40 people arrested on the same day and in the same case as him are still being held in remand. The court proceedings continue.

*\*Pawel Kumiszczke is a freelance journalist with several years of experience working as a television and radio reporter.*



# Modi's Start-Up India Shakes the Colonial State

*Atul Singh and Manu Sharma*

*January 16, 2016*

*Nearly seven decades after independence, the Indian state is dysfunctional and a clash of ideas is emerging about new ways of running or reforming the country.*

Indian Prime Minister Narendra Modi is a hard-working fellow. He gets up at the crack of dawn, arrives at the office early and leaves late. Unlike Manmohan Singh, the effete effigy who presided over a corrupt cabal of ministers, Modi runs a relatively clean shop.

Ministers are not making money hand over fist. Bureaucrats are miraculously turning up to office on time and some big decisions have been made. Yet India is unhappy. Modi has lost some major regional elections. On January 16, he responded with an entrepreneurial zeal that characterizes his native state.

## **MODI'S NEW ECONOMIC POLICY**

Modi's new policy of "Start-Up India" is the most significant set of reforms unleashed in the country since 1991, when India first opened up its economy after the collapse of the Soviet Union. India has long had a repressive and overbearing state that suffocates entrepreneurs. Incorporating a company, navigating red tape and access to finance have long been nightmares for many an entrepreneur.

The new reforms rewrite the rules of engagement between entrepreneurs and the state.

First, no young company will pay taxes in the first three years after its incorporation. Second, no new company will be subjected to any government inspection during this initial three-year period. Third, filing patents will become cheaper and faster. Fourth, the government has set aside nearly \$1.5 billion to fund new ventures. Fifth, these ventures will be able to shut down shop in 90 days. Sixth, the government is launching

a mobile app that will enable companies to incorporate in a single day. This is revolutionary for a country where incorporation took six months to a year in the not too distant past.

Finally, new companies will be able to bid for government contracts. So far, public procurement rules put a premium on turnover and time doing business. This has queered the pitch in favor of large companies that have been around for a while. Incumbents tend to become fat and lazy because barriers to entry protect them from fresh competition. This results in wastage of taxpayer money and increases inefficiency in the economy. Modi's new measures challenge the status quo.

Modi's new economic policy is a body blow to what is called the "inspector raj" that was unleashed by Jawaharlal Nehru, India's first prime minister. Nehru was a Cambridge-educated socialist who was deeply inspired by Joseph Stalin's Soviet Union. Whilst the United States and Europe suffered the Great Depression in the 1930s, the Soviet march to modernity seemed irresistible. Nehru was probably unaware of the horrors of Stalinism, which left over 15 million dead and millions more packed off to icy Siberian gulags.

Nehru adopted the Stalinist principle in the realm of economics. From now on, Indian businessmen and entrepreneurs faced inspections and controls from a colonial-era bureaucracy, which till 1947 was an instrument of theft and oppression for the British.

Needless to say, red tape asphyxiated business. Entrepreneurship was actively discouraged and a career in the bureaucracy now acquired even more halo than during the time of the British Raj. India embarked on its Hindu rate of growth while many poorer countries zoomed ahead.

After his electoral setbacks, Modi is jettisoning part of the Nehruvian economic model. The new policy aims to speed up the economy by infusing India with Gujarat's entrepreneurial spirit.

## **THE BUSINESS OF INDIA CANNOT JUST BE BUSINESS**

While India does need to emerge from the shadows of Queen Victoria and Stalin, policymakers in New Delhi cannot ignore the fact that more than 50% of children under

five in the country are stunted. The reason is simple: Children fail to get clean drinking water and adequate nutrition.

India's teeming millions now want the basics that they have been promised for decades by politicians seeking their votes. With increasing literacy, information and connectivity, people want responsible and responsive forms of government. They want to have their say and more of their way at the most local levels.

The key demand that India's masses are making of their rulers is a change in the last mile of governance. Where the rubber hits the road, the citizen still has to deal with a parasitic state. Whether it is getting a driving license or registering as a voter, citizens undergo nightmares on a daily basis. Signing forms in triplicate or dealing with the discretionary and arbitrary process where petty bureaucrats behave like local feudal barons demanding obeisance and tribute is not exactly enjoyable. In a democracy, people no longer want to put up with this.

But the rulers of India are caught in a bind. They have inherited a colonial state. They rely on bureaucrats to run it, and it is in the interests of bureaucrats to oppose or subvert any change. No elite has ever given over its power or privilege without a fight. Indian bureaucrats are no exception, and they delight in running rings around their political masters.

Yet the colonial structure of the state is crumbling. The notion that citizens can only do something that is explicitly permitted by the government is weakening. A young population is chafing against a culture that discourages innovation and risk taking. In the US, citizens can do whatever is not proscribed by the government. Many Indians want a change to this model.

To put things in perspective, 356 million Indians are between ages 10 to 24. They are growing up with increasing aspirations. They want to get rid of many of the old constraints. Despite Modi's unleashing of entrepreneurship, the nature and structure of the state is not changing. He is trying to run the same colonial state more efficiently through the Prime Minister's Office (PMO). Modi has put together a team of trusted efficient bureaucrats in the PMO who are supposed to crack the whip over their minions.



Unfortunately, there are limits to what the PMO can achieve because cracking the whip does not make thoroughbreds out of donkeys, particularly those who like falling into the river to wash away their load of salt.

## **THE NEW GRASSROOTS DEMOCRATIC MOVEMENT**

In the dying days of the previous government, an anti-corruption movement broke out across the country. Scams that ran into tens of millions of dollars evoked disgust, and people took to the streets to protest. Some latent ideas saw the light of the day after many decades in the closet. These were consciously or unconsciously inspired by a man long deified but largely ignored: Mahatma Gandhi.

Gandhi was a proponent of dismantling the colonial state and ushering in an era of grassroots democracy. India's independence was accompanied by the partition of the country into India and Pakistan. It led to the biggest human migration in history and bloodshed of monumental proportions. In the aftermath of this bloody partition, India's new leaders feared dismemberment. They placed their trust in the colonial-era bureaucracy to keep the country together.

As mentioned earlier, Nehru was inspired by Stalin's Soviet Union. He brought in Soviet-style five-year plans that his anointed bureaucrats imposed on the country. Nehru built a socialist superstructure on the edifice of a colonial state. Gandhi's bottom-up, decentralized, democratic decision-making in an incredibly diverse state was unceremoniously dumped.

As the Indian state fails its citizens, the younger generation is unknowingly harking back to Gandhi's vision, and Arvind Kejriwal, the chief minister of Delhi, is astutely trying to appropriate the Mahatma's legacy.

Kejriwal has taken on Delhi police and the systemic corruption that touches the lives of common citizens. For instance, he has taken away powers of the police to harass auto rickshaw drivers. Kejriwal has empowered people to conduct stings on corrupt officials. This means officials are less likely to ask for bribes and exercise arbitrary discretion in Delhi.

Kejriwal has picked battles with India's elite bureaucracy, the officials of the Indian Administrative Service (IAS) and the Indian Police Service (IPS). Both of them are

relics of the British Raj. These battles have pitched Kejriwal as a man of the masses. Significantly, he has broken with the political tradition of collaborating cozily with the elite bureaucracy after getting elected. Kejriwal is trying to involve people in governance, a revolutionary thing in a country with a colonial top-down governance structure.

Kejriwal's greatest achievement is coming up with a crude form of citizen governance. India's Panchayati Raj, or local self-government, is a bit of a sham. Unlike the US, local bodies do not have powers of taxation. Their powers are subject to the concurrence of an executive officer who is invariably a bureaucrat of the IAS or its junior provincial counterpart. This means that local governments are in office but not in charge. De facto, they cannot even run their own primary schools.

India's governance experience has not changed significantly under Modi because of India's federal structure. The central government in India collects taxes and sets the rules of the game. State governments provide services at the district level. Modi is no longer running Gujarat and has no power to make district-level officers of the IAS or IPS show up in office on time or to do their jobs. State governments continue to use the same failing structure of the past.

Under Modi, the colonial structures and Victorian rules of the game have not changed. The Indian Penal Code that sets out crime and punishment for India's citizens was drafted in 1860 by Lord Macaulay, barely two years after Queen Victoria took over from the British East India Company. The Indian Telegraph Act is of 1885 vintage.

The British underpaid junior Indian employees and tacitly encouraged them to live off the land, fostering a culture of corruption. They did so to destroy self-belief among Indians and perpetuate the perception that they were incapable of governing themselves. When junior Indian employees were a touch too rapacious, Indians appealed to the white forerunners of the IAS and IPS for clemency. This colonial structure still persists unchanged.

## **TWO CONTENDING IDEAS**

India faces a clash between two political models. Modi wants to make the current system efficient and unleash economic growth. Kejriwal wants to democratize and decentralize decision-making. Modi promises development and jobs. Kejriwal promises

people the right to decide whether they want a park or a bus stop in their neighborhood.

The as of yet inchoate clash of ideas about the destiny of the nation has begun.

*\*Atul Singh is the founder, CEO and editor-in-chief of Fair Observer. Manu Sharma is a political analyst with an international footprint.*



# Turkey Has Enemies in a Dangerous Neighborhood

*Nathaniel Handy*

*January 18, 2016*

*The IS attack on Istanbul has the potential to further isolate Turkey. Ankara must start finding friends fast.*

When the academic Ahmet Davutoglu published the book *Strategic Depth* in 2001, on the eve of the Justice and Development Party's (AKP) rise to power, he set out a foreign policy vision for Turkey that included the concept of "zero problems with neighbors." It became a key plank of AKP policy as he became minister of foreign affairs in then-Prime Minister Recep Tayyip Erdogan's government.

Fast-forward 15 years, and the political landscape has not only come full circle, but is now heading into unknown waters. Davutoglu is now prime minister. Yet his carefully built policy of zero problems with neighbors has been consumed by the multiplying crises of a region in turmoil. Turkey is now suffering the consequences of the Syrian-Iraqi war perhaps more than any other country outside those battlegrounds.

The latest attacks in central Istanbul on January 12 highlight just how many enemies the Turkish state now has. This is not an isolated act of terrorism, but one in a rapidly growing list of atrocities that reveal Turkey as a territory in which multiple conflicts are now playing out simultaneously. This is extremely dangerous for the country.

## **ENEMIES EVERYWHERE**

The Istanbul attack appears to have been the work of a 27-year-old Saudi-born Syrian working on behalf of the Islamic State (IS). As such, it is a further example of IS bringing its war onto Turkish territory. It first did this in July 2015 when the terrorist organization attacked Kurdish volunteers at Suruc on the Syrian border. This was followed by the worst terrorist attack in Turkish history on a pro-Kurdish rally in Ankara in October.

The latest attack is a departure in that its target was very deliberately the Turkish state, not the Kurds. Sultanahmet is the epicenter of the Turkish tourism industry, in the shadow of the Blue Mosque and the Hagia Sophia—Turkey's most recognizable symbols abroad. As such, it is both a physical and a symbolic attack in much the same way that 9/11 was in the United States.

Turkish policy under the AKP to this point has appeared to be predicated on the assumption that Islamist terrorism could not affect Turkey. It is after all a Muslim state governed by a party with Islamist roots. This was reflected in the low priority given to combatting IS, which at one point appeared to be a potential counterweight to resurgent Kurds in northern Syria aligned with the Kurdistan Workers' Party (PKK).

The Islamic State was also seen as a counterweight to the Assad regime in Syria, which has likely hit Turkish territory with terrorist attacks through proxies such as in Reyhanli in 2013. In both cases, there was a clear temptation for the Turkish state to view its enemy's enemy as, if not a friend, at least no threat to itself. This calculation needed reviewing from the moment Turkey relented to US pressure to use Incirlik airbase for strikes against IS and openly joined the coalition against the group.

The result is a situation where Turkey now has a bewildering cast of enemies—IS, the PKK, the Syrian Kurdish YPG units, the Assad regime and, increasingly, Russia and Iran—not all of whom are on the same side, but all of whom can use Turkey's many conflicts as leverage in their own struggles with the AKP government.

The aftermath of a terrorist attack that strikes at the heart of the Turkish state might seem a strange moment for reconciliation. However, despite the rhetoric of the Turkish government, terrorism is rarely tamed and never ultimately defeated through arms alone. In the current situation, Turkey needs to draw down the long list of enemies fast.

This is a tall order in the circumstances. Much of the current chaos in Turkey is due to the Syrian-Iraqi war. While it rages, there is limited capacity to stem its destabilizing effects on Turkey's southern border. The crux of the problem for the AKP government is that Turkey has little power to leverage the situation within Syria or Iraq. The initiative is with its enemies and Turkey is at the mercy of forces beyond its control.

However, there remains one key dimension in which Turkey can directly influence the situation both at home and beyond its borders. The dialogue with the PKK, which has been allowed to unravel in the last half a year, must be reexamined. It is the one area over which Turkey has control and can change the status quo. Only through reengaging the PKK can the government stem the negative impact of YPG gains on Turkey and the ability of the Assad regime and its supporters to undermine Ankara.

## **TOURISM INDUSTRY**

The fact that everyone is discussing the attacks in Istanbul once again raises the issue of Western bias that emerged after the Paris attacks. The deaths of Westerners make global headlines and cause far greater shockwaves than the deaths of people from elsewhere. This is a sad truth that the perpetrators of such attacks understand and utilize.

Most people would have trouble naming a terrorist attack in the past year aside from those in Paris, Istanbul and Sousse. All were attacks on Westerners. The worry for Turkey is that while an attack in Paris creates a fierce determination to defend the homeland, attacks in Tunisia or Istanbul are more likely to make ordinary Westerners choose Greece or Spain for their vacation next year.

The result is a hardening of the line between the Muslim and non-Muslim worlds, just as the Islamic State intended. For Turkey, this could mean greater isolation, fueling introverted nationalism and a further descent into the ethnic and sectarian conflicts that are tearing apart not only Turkish territory, but the entire Middle East.

*\*Nathaniel Handy is a writer and academic with over ten years of experience in international print and broadcast media.*



# Africa Needs to Focus on Sound Immigration Policies

*Anna Twum*

*January 19, 2016*

*Africa is on the fast track of economic growth, but the continent must reform its internal immigration policies.*

In 2015, South Africa was shocked by xenophobic attacks, a startling déjà vu of similar attacks in 2008 that led to the killing of over 60 South Africans and was met with worldwide condemnations. Following that, at least five foreigners were killed and thousands forced to seek refuge.

This brings the issue of immigration in South Africa to the forefront, but also provides an opportunity to analyze the current state and future of immigration policy on the African continent in the face of unequal economic growth among nations and changing cross-country immigration dynamics.

Since the continent's wave of independence, African governments and regional organizations have done very little to address immigration policy within Africa. For many governments, the facts on the nature and consequences of immigration are largely unknown, and the appropriate language and policy frameworks for tackling this inevitable aspect of the economy and society of African countries are largely non-existent. Even with government focus on remittances, other key aspects of immigration policy are severely underdeveloped or are focused more on the diaspora. This is in sharp contrast to the realities of immigration on the continent.

Immigration is an African story. The press around African immigration tends to be focused on immigration of Africans to the Global North. However, according to a World Bank report, the number of African immigrants who move to other African countries are in the majority two-thirds of total immigration in Sub-Saharan Africa.

This intra-Africa immigration is attributed to lower immigration costs and lack of resources and the skills needed to succeed in more competitive labor markets outside of the continent.

Over the last three decades, the most common destinations for African immigrants have been Côte d'Ivoire and Nigeria in West Africa, Gabon in Central Africa, Kenya in East Africa, and South Africa in southern Africa. According to the same report, immigrants tend to be mainly young African males (15-40 years), with some level of education beyond the primary level, whose main reasons for migrating are to seek employment, education and for family reasons.

## **UNEQUAL GROWTH**

Given the challenges with obtaining data on immigration and the proliferation of informal immigration channels, it is very plausible that these numbers only capture part of the story that has and will continue to take on different dimensions in the face of Africa's other more sensational story: African growth.

In recent years, the African continent has been described as the next hub of growth and the new frontier market. With a continent-wide average GDP growth rate of 4% in recent years, this notion is empirically supported.

However, a look at country level economic data tells a story of masked unequal growth, high levels of unemployment, and persistent poverty in many African countries. In addition, some African countries are still plagued with political instability and drawn out effects of civil war and terrorism.

Against this backdrop of challenges and inequality, many affected Africans are increasingly drawn to the relative stability of their sister countries with hopes that they can reap the benefits of better job security, education and standard of living.

However, inside the borders of prime immigrant destination countries, the hopes of migrants are met with the struggles of locals who are also looking for hope and opportunity. This growing dichotomy has the potential to pose serious economic, policy and social challenges for immigrants and destination countries.



Immigration policies for African immigrants in many African countries has been shaped by reactions and sentiments to mismanaged immigration systems that fail to address the immigration challenges at their core, or fail to proactively nurture the benefits that can accrue to a well-managed immigration system.

A case in point is the mass expulsions of immigrants of African ancestry—from Ghana in 1969, Nigeria in 1983, and Côte d'Ivoire early in the past decade—which resulted in economic and social upheaval. These expulsions were largely motivated by growing impatience with undocumented African immigrants, and failed to fully tackle the problem of border control, unaffordable documentation processes and trafficking.

## **CREATING CHANGE**

This poor structuring and management of immigration has a catalytic effect on xenophobic sentiments toward other Africans. As immigrant flows to and from other African countries continue under shaky immigration frameworks, locals more readily cast African immigrants under stereotypes of “illegal,” “criminal” and “free rider.”

What this does, in addition to the unacceptable and tragic loss of life, is create a hostile environment among citizens, which can undermine any sort of regional, inter- or intra-country cooperation.

Realizing that immigration is an African story with accompanying policies that are lacking is the first step to creating change. The next step, and where a good number of challenges also lie, is mobilizing a concerted effort among African nations to facilitate better immigration policies for immigration flows across African country borders.

This is where the African Union (AU) and other African regional groups come in. In recent years, there have been working groups on internal immigration policies, and the AU has published some reports. However, action is forthcoming.

The work of other non-African nations who face immigration challenges can serve as a blueprint for these efforts, but ultimately the focus needs to be on creating homegrown continental policies that African countries can use as a benchmark for their own immigration frameworks.

With Africa on the fast track of economic growth, immigration within the African continent is becoming more nuanced. There has never been a better time to take action.

*\*Anna Twum is a research analyst at the International Monetary Fund.*



# The US Election Year Foreign Policy Spectacular

*Landon Shroder*

*January 21, 2016*

*Landon Shroder looks at the turbulent debate on Middle East foreign policy in what appears to be a near endless campaign cycle for the next American president.*

Now that the US presidential election is only a mere 291 days away from maturity, we must content ourselves with the inevitable salvo of attack ads, over the top rhetoric and fearmongering—all of which will be linked to the interminable foreign policy debate that is helping shape the 2016 election. Naturally, the Middle East will remain the most hallowed territory, as each candidate squabbles over the most climacteric and esoteric foreign policy challenges since World War II. Or as the esteemed P.G. Wodehouse might surmise, “Hell’s foundations have begun quivering.”

As consumers of politics then, our challenge not only becomes making sense of the arguments that have already been presented, but anticipating those that might develop in response to the rapid pace of events throughout the Middle East. This is essential because the intensity of rhetoric will only confuse our understanding of the situation as the countdown to the first primaries in Iowa and New Hampshire start to get closer.

So, how do we evaluate the universe of competing narratives that are shaping the foreign policy landscape on the campaign trail?

For starters, we should expect the candidates to bring forward ideas that are interdependent on three things: diplomatic objectives, security strategies and economic outputs. Or in my own caustic vocabulary, the “unholy trifecta” since foreign policy cannot really succeed without these three things maintaining some sense of equilibrium.

As a result, any foreign policy advanced by the presidential candidates must also be robust enough to integrate these things into broad strategies that can account for

nuance, singularity and complexity—each of which are deeply present in the modern Middle East.

Unfortunately, this is not happening in large doses, and the debate (for the most part) is being compelled by bombastic oratory in the Republican camp and conformity to the status quo in the Democratic camp. Yet neither side has brought forward comprehensive policy solutions that are novel in their approach or address the root causes of instability and conflict in the region.

What we do have are solutions that will either revive or prolong the conditions that have led to the very same conflict and instability in the first place.

Nevertheless, as consumers of politics, we must understand our purchasing power and what we are buying. So let's take a look at some of the more overt foreign policy themes that are driving the debate during this election cycle.

## **A VERY REPUBLICAN STATE OF AFFAIRS**

There is no doubt that the Republican candidates are maintaining some fringe foreign policy positions that exist in a very special place far removed from the realities of planet Earth—candidates like Donald Trump, Ted Cruz, Ben Carson and Chris Christie are leading this charge. However, once the volume is turned down a notch (from eleven), there have been some very reasonable debates over the role of regime change, nation-building and the promotion of democracy by Rand Paul, Marco Rubio, Jeb Bush and John Kasich.

The problem with most of the candidates' foreign policy in a complex region like the Middle East is that it is instinctively reactive. They address the symptoms and outcome of conflict, but not the underlying causes such as endemic sectarianism, corruption or legacy issues surrounding US intervention(s). Sidestepping these issues, furthermore, allows the candidates to shirk their own party's faults and miscalculations by heaping blame on President Barack Obama, while at the same time supporting strategies that are not overly dissimilar from his own—especially in the fight against the Islamic State (IS).

This is a sleight of hand political maneuver that voters need to be aware of when assessing their own foreign policy positions. (But more on this later.)

The most stark foreign policy positions continue to coalesce around the Iranian nuclear deal, which was ratified in July 2015. While rapprochement is paying diplomatic dividends, there is still a general feeling of malaise and dread that is pervasive between the GOP candidates.

Other differences exist over Russia, Turkey and support for Israel, but any position on Iran is almost unanimous in its condemnation. Nonetheless, this opposition is becoming harder to maintain, since the benchmarks set forward in the nuclear deal are now coming to fruition and Iran's nuclear infrastructure is getting dismantled. As a result, the sanctions are being lifted (cue volume back to eleven) and the process of normalization remains ongoing.

All of which is bad for Republican candidates' foreign policy brand, since they have led us to believe that this will be a doomsday scenario of biblical proportions, and yet the exact opposite appears to be happening.

The leading candidates will inevitably maintain this position of hostility, but there is almost no recourse to scrap the deal or reconstitute sanctions—regardless of what they might hypothesize. Not without a serious breach of etiquette on behalf of the Iranians or the risk of isolating the US from other international partnerships on IS, Iraq and Syria, which are currently under negotiation. Suggestions to the contrary are little more than specious subterfuge that is being used to motivate the base of the Republican Party.

But let's get back to the Islamic State and the candidates' sleight of hand.

In a recent article I wrote for Fair Observer, titled "The Middle East in 2016," I wagered that most foreign policy positions on IS will soon start to resemble one another. This is because the options available to the US are actually quite limited. The thematic points the candidates are rallying around—enhanced intelligence, airstrikes, regional coalition building and special forces deployments—are already being done in places where IS militants are active and where the US can reach them.

There are a few notable exceptions, such as arming the Kurdish Peshmerga in northern Iraq or a no-fly zone in Syria, but the Republican candidates are not unified around these proposals. Nor are they particularly pragmatic. Yet despite this, they are

being used to amplify a certain perspective that is about style, not substance. Remember the unholy trifecta of international relations—diplomacy, security and economy? This is where these things start to intersect, since arming factions independent of the central government and implementing no-fly zones in crowded airspace only undermines the potential for diplomacy while locking the US into intractable security positions.

Alternatively, the Republican foreign policy debate has highlighted some incredibly substantive issues, such as the role of nation-building, regime change and the promotion of democracy in the Middle East. Conversations such as these are essential in understanding how the next president might project influence abroad and gets to the very core of how most Americans assess their place in the world.

This is a conversation that is essential in how we develop our views and vote on foreign policy. How these concepts have been previously translated and acted (or not acted) on has set the tempo for most US strategy in the region—look no further than the wars in Iraq and Afghanistan and ongoing issues in Syria, Yemen and Libya.

## **ON DEMOCRATS, DOCTRINE AND DOGMA**

The foreign policy debate on the Democratic side is much less interesting and far more contained, given the lack of candidates and self-assured magniloquence of the Republican ticket, but here we are nonetheless.

Given the immense amount of experience Hillary Clinton has on the international circuit, the Democratic foreign policy debate has naturally been shaped around her role as the former secretary of state. Additionally, the Democratic National Committee has only graced us with a lackluster total of four debates (compared to the Republican six) and, by default, foreign policy issues have become reactive to her worldview.

In real terms, though, neither of the candidates is likely to stray far from the president's current strategy in the Middle East. Obama has played a careful long game, which is making incremental gains and, as a result, he has coopted most of the available strategic and tactical space to fight IS, which is now steadily losing ground in Iraq.

Moreover, the nuclear deal and relative détente with Iran is proving advantageous, as are negotiations with the various world and regional powers over Syria.

These accomplishments have satiated the Democratic base, and each of the candidates will attempt to ride the coat-tails of these perceived successes, taking credit for them where they can. A good balance has also been struck between diplomacy and security for US foreign policy (two out of the three components of the unholy trifecta isn't bad), and none of the three candidates will want to shift away from this.

Discrepancies do exist over certain policy positions, however, but these divergences originate from practical standpoints, not from ideological posturing that assumes the US is no longer an effective superpower (as the Republicans would suggest). For Democrats, this has manifested over plans to defeat the Islamic State, engagement with Iran, and what kinds of interventions are appropriate expressions of US foreign policy. Each of these three points is being used as a cudgel to either defend, promote or assail each of the candidates' foreign policy credentials in the Middle East.

This has turned the foreign policy debate on the Democratic side into point-counterpoint, exacerbating the rhetoric over Clinton's support for the Iraq War and Bernie Sanders' plan to normalize relations with Iran. All this has done is regrettably detract from the fundamental conversation on how to promote stability and end conflict in the Middle East. These are two things that voters need to be desperately conscious of as incidents of terrorism increase globally and conflict in the region grinds on.

## **REPUBLICANS VS. DEMOCRATS: TOMATO, TOMATO**

In the end, there is not vast daylight between the two parties on foreign policy in the Middle East, since both sides are developing positions that are becoming uniquely similar, given the realities on the ground. Tone and presentation will continue to vary, of course, as will fringe positions on carpet bombing IS-controlled cities, dog fighting Russian warplanes over Syria and seizing Iraq's oil. But these are not serious proposals and, for our sake, did not warrant critical examination.

What voters need to be aware of in this election cycle is that the total sum of US foreign policy since the invasion of Iraq in 2003 has led us to a point where the best that can be expected is the maintenance of whatever status quo is prevalent. Being an interventionist or an internationalist is hardly relevant anymore, since the best options currently available for the US to defeat the Islamic State, repair stability and end conflict in the Middle East remain quite limited.

Until creative, non-traditional strategies are expanded and candidates—on both sides—can develop solutions that are not based on how the Middle East used to be but on how it is reshaping our foreign policy, a vote in 2016 will likely be a vote for more of the same.

That is unless Donald Trump becomes president and Sarah Palin our new secretary of defense, then we would truly have something remarkable to write about. Cast your vote accordingly, America.

*\*Landon Shroder is a security consultant who specializes in threat assessment for high risk and complex environments.*





## Can Scotland Become the Saudi Arabia of Renewables?

*Eunsun Cho*

*February 2, 2016*

*With strong government leadership and long-time public support, Scotland's plan for a green future is underway.*

Leading up to the Independence Referendum in 2014, one way Scotland sought to differentiate itself from the United Kingdom was through its environmental policy. The Scottish government published a draft interim constitution that separated out the government's duty to protect the environment in a separate clause. The government also published a report that listed the potential environmental benefits of independence.

The Scottish government tends to be more ambitious in its renewable energy goals than the UK government. Scotland vows to fulfill 30% of its entire energy consumption with renewable energy by 2020, which is twice the UK's goal. In 2008, Scottish First Minister Alex Salmond boldly claimed that Pentland Firth, a region in northern Scotland, could be the "Saudi Arabia of renewable marine energy." One of the most recent Scottish plans against climate change is to fulfill 100% of its total electricity consumption with renewable energy by 2020.

Scottish citizens seem to be fully aware of their government's strong commitment to environment protection. In a public poll that asked whether independence will have a positive or negative impact on the Scottish environment, with options to say "no effect" or "don't know," 50% answered "positive."

Scotland's pursuit of green future is chiefly propelled by effective utilization of the resources and a high level of social cohesion. The implications of the Scottish example apply to many countries, where the effort to protect the environment is stalled in a political deadlock or shadowed by public negligence.

## **GROWING POTENTIAL FOR RENEWABLES**

Environmental policy is one of the areas in which the legislative authority is largely devolved to the Scottish government from the UK government. Since 2000, Scotland set out to develop renewable energy strategies by collecting Scotland-specific data and designing its own energy strategies. Recognizing the massive wind energy potential, the government began to methodically develop the wind energy sector by funding research at universities, promoting industry-academia partnerships, and promoting wind farm constructions. Coupled with the UK government's subsidy to wind farms—now facing the possibility of termination—these policies made Scotland the most attractive spot in the world for renewables investment.

The initial Scottish targets for renewable energy were humble. In the early 2000s, the goal was to generate merely 18% of total electricity consumption by 2010, and the government was still testing the idea of 40% renewable electricity by 2020. But with rapidly increasing renewable capacity, Scotland exceeded the 18% target in 2007 and gradually raised the bar for 2020, first to 80% in 2010 and then to 100% shortly after.

The renewables evolution is still ongoing. From 2012 to 2014, the share of renewable energy in total electricity consumption jumped from 39% to 49.7%.

## **THE FORCES BEHIND THE PUSH**

To be fair, Scotland hugely benefited from its natural endowment and the Scottish National Party's (SNP) dominance in the parliament. Home to 25% of the European Union's offshore wind resource, Scotland meets 66% of the entire renewable energy through wind. According to the Scottish government, the country also has 25% of Europe's tidal potential.

The continued election victories of left-leaning parties were another factor that allowed the implementation of these renewables policies. After the Labour-Liberal coalition government set the earliest targets in the early 2000s for decreasing carbon emission,

the SNP has magnified the scale of investment into renewables. The Conservative Party takes a quite different view, arguing against wind farms subsidies, rejecting the viability of the 100% renewable electricity plan, and supporting a greater use of nuclear power. But with the parliamentary majority firmly in grip of the left-wing since 1999, the Scottish environmental policies could continue without a threat of backtracking.

But the sense of immediacy in combating climate change crosses party lines. Despite its disagreement with the SNP on many environmental policies, the Conservative Party is also onboard for a low-carbon future. Recognizing climate change as a grave environmental, security and economic threat, the Conservative Party publicly acknowledges the SNP government's green achievements and manifests commitment to environmental sustainability. The unanimous passage of the Climate Change Act of 2009, which promised a 42% reduction of carbon emissions from the 1990 level, epitomized such cross-party support.

Last but not least, there is a long-time public call for the greater role of the government in combating climate change. In 2002—when the government was still aiming for the 18% renewable electricity target—the public thought that half of Scotland's electricity should come from renewable sources. Despite the government's persistent push for greater use of renewables and various initiatives to reduce waste in 2014, 54% of the public still thought the government was not doing enough to protect the environment.

The Scottish public's somewhat distinctive idea of “progress” is also worth noting. Aside from 60% of the population who thought that social, economic and environmental factors should have equal weight in measuring progress, 26% said that progress should be measured mostly based on social and environmental criteria. The perceived close link between healthy environment and progress hints at how Scotland could steadily reinforce its renewable energy commitment.

## **IS 100% RENEWABLE ELECTRICITY POSSIBLE?**

Of course, there is criticism regarding the viability of the 100% renewable electricity goal. Following the SNP government's vigorous expansion of wind power was a reduction of fossil fuel power plant capacity. The party also staunchly opposes keeping nuclear power in Scotland's energy mix. Some experts argue that the current strategy

of relying almost exclusively on wind sources will turn Scotland into a net energy importer and deepen its reliance on England.

Indeed, the possibility of a nuclear-free future seems debatable. The renewable electricity target itself is not a fantasy: Uruguay draws 95% of its electricity from renewables, and Denmark's succeeded last year in temporarily generating 140% of its national electricity demand from wind power.

But for a long-term supply, there needs to be a stable source of energy not easily affected by external factors such as weather. Although the Scottish government claims that the Carbon Capture and Storage (CCS) technology will replace the need for nuclear power, CCS is a costly option—the full cost of capturing carbon, storing it underground and monitoring is not even quantifiable yet.

It is yet to be seen whether Scotland will actually succeed in any of its renewables targets. Still, takeaways from the Scotland's example are clear. First, long-term policy planning and cross-party cooperation have spearheaded a stable and steady progress in increasing renewables capacity. Meanwhile, the high priority that environment enjoys in the public discourse and the strong public demand for proactive environmental policies have also kept the issue of environment protection from petty bickering and politicization for a sustained period of time.

It is the favorable natural conditions that make the ambitious goal of powering the nation only through renewable energy a possible scenario. But without the sense of mission to protect the environment and the high level of public awareness, the scenario would never have turned into a national policy scheme.

*\*Eunsun Cho is a student at Georgetown University majoring in international politics.*



# Pakistani Support for Terrorism Risks Conflict With India

*David J. Karl*

*February 5, 2016*

*By failing to crack down on all terrorist groups operating in the country, Pakistan runs the risk of becoming embroiled in a serious conflict with India.*

In January, the complexity of South Asia's security dynamics once again came into full view. The new year was barely more than a day old when a group of Pakistan-based jihadists slipped into a major Indian air base at Pathankot and engaged in a multiday firefight that left at least seven security personnel dead and wounded about 20 more. The attack came less than a month after US Deputy Secretary of State Antony Blinken warned of the possibility of "an unintentional conflict" between New Delhi and Islamabad sparked by a terrorist strike.

India places blame for the assault on a militant outfit called Jaish-e-Mohammad (Army of Mohammad), which is also thought to have played a role in the brazen December 2001 terrorist attack on the Indian parliament—an event that ignited a months-long military confrontation between India and Pakistan.

Two weeks after the Pathankot attack, another jihadist band snuck across the border from Afghanistan and massacred at least 20 students and teachers at a university in Charsadda in northwestern Pakistan—close to the country's tribal belt, a notoriously lawless area festooned with all kinds of extremist organizations. Responsibility for the attack was claimed by a faction of the Pakistan Taliban that had carried out the horrific December 2014 slaughter of some 140 children at a school in nearby Peshawar that is managed by the Pakistani army.

Both attacks in January 2016 were conducted at widely-separated locations by two different jihadist networks with distinct agendas. Jaish-e-Mohammad (JeM), which benefits from links with Pakistani security services, is focused on wresting control of

the Indian portion of Kashmir away from New Delhi. The Pakistan Taliban, on the other hand, directs its energies to attacking the institutions of the Pakistani state.

But both groups share a few similarities. First, they find shelter in cross-border sanctuaries, effectively placing them beyond the retaliation of the aggrieved countries. JeM has been officially banned in Pakistan since 2002, but nonetheless maintains an open presence in the country's Punjab heartland. Indeed, Pakistani authorities have attempted in recent years to build up the organization in an attempt to diminish the Pakistan Taliban's ideological appeal and lure away its foot soldiers.

In contrast, the Pakistani army has mostly driven the Pakistan Taliban out of the country. But the group has found refuge in Afghanistan, in connivance with Afghan officials seeking to pay Islamabad back for its patronage of the Afghan Taliban. A senior Pakistan Taliban leader recently conceded to a Western journalist that, "In Pakistan we can hardly operate anymore. In Afghanistan, we have no problem going anywhere."

## **SORCERER'S APPRENTICE**

A second similarity between JeM and the Pakistan Taliban is that they are manifestations of what can be called the "Sorcerer's Apprentice" problem. Named after Johann Wolfgang von Goethe's classic tale about the dangers of conjuring up proxies one cannot ultimately control, this challenge refers to the large number of jihadist outfits that Pakistan has fostered over the years, but which have either now turned their fury against Islamabad or conduct unilateral operations that undermine Pakistani strategic interests.

As this author noted in an earlier article for Fair Observer, the Pakistan Taliban is perhaps the paramount example of the Sorcerer's Apprentice problem. It has mounted significant attacks against the Pakistani military establishment since emerging in the wake of the July 2007 storming by the Pakistan army of a leading mosque in Islamabad that had become a center of anti-government militancy. Among a long tally of terrorist incidents, the group is responsible for the October 2009 assault on the Pakistani army's main headquarters, as well as assassinating a number of generals.

JeM exemplifies the other side of the Sorcerer's Apprentice challenge: Militant groups protected by the Pakistani state that, nonetheless, see derailing good relations and

even triggering unintended war between New Delhi and Islamabad as a way to advance their own interests. As Husain Haqqani, a former Pakistani ambassador to the United States and a prominent critic of his country's links with terrorist groups, concedes: "The Pakistan Army feels like they can control these groups, but they have a mind of their own." Similarly, an Indian security official recently acknowledged that: "It has been clear for some time that there is no [jihadist] group that is fully within [Pakistan's] control. They are all itching for independent action, some want to have a go at us immediately."

JeM, for instance, had a hand in the 2001 Indian parliament attack that led to a near-war crisis between the two countries. Yet it appears the attack was not sanctioned by the Pakistani leadership, but rather was a jihadist effort to divert Pakistani military attention away from the Afghan border precisely when Osama bin Laden and hundreds of al-Qaeda and Taliban fighters were fleeing out of Afghanistan following the Taliban regime's demise in late 2001. Indeed, the signals traffic in the immediate aftermath of the parliament strike between Pakistan's chief intelligence agency and the jihadists responsible for the attack indicated real anger on the part of the Pakistani military establishment.

## **INDIA'S RESPONSE**

Similarly, JeM's attack on the Pathankot air base in January, which occurred just a week after Indian Prime Minister Narendra Modi's surprise trip to Lahore—the first visit by an Indian leader to Pakistan in 12 years—is widely thought to be aimed at torpedoing the nascent diplomatic engagement between New Delhi and Islamabad.

One of the surprising and under-noticed aspects of the Pathankot assault is the internalization by Modi's government of the "Sorcerer's Apprentice" problem. This development seemed most unlikely as recently as last summer. During his 2014 election campaign, the prime minister presented himself as a tough-minded leader on the issue of Pakistan-based terrorism and regularly lambasted his predecessor's passivity following the 2008 Mumbai terror strike. "They did nothing," Modi exclaimed. "Indians died and they did — nothing." He pledged that once in office he would talk to "Pakistan in Pakistan's language, because it won't learn lessons until then." At another campaign event, he promised to pursue a "zero-tolerance policy" on terrorism.

Likewise, Modi's national security advisor, Ajit Doval, has argued that "effective deterrence" is key to dealing with Pakistan and promised a muscular response to cross-border terrorism. Defense Minister Manohar Parrikar has beat the same drum.

Yet when it was confronted by the Pathankot attack—the most serious cross-border terrorist strike to have occurred on its watch so far—the Modi government's reaction was remarkably restrained. This is hardly the response one would expect from a prime minister who promised a more vigorous approach toward national security and vowed to talk to "Pakistan in Pakistan's language because it won't learn lessons until then." Nor is restraint something one would anticipate from a government that reveled in jingoistic boasting less than a year ago when it went after militant sanctuaries in Myanmar. The most that New Delhi has done is postpone a previously-scheduled round of diplomatic talks with Islamabad, although even this was done in an amicable manner.

For its part, Pakistan has absorbed at least part of the Sorcerer's Apprentice lesson. Following the Pakistan Taliban's attack on Karachi's international airport in 2014, the army launched a wide-ranging offensive in the tribal areas, which has caused the Pakistan Taliban to flee into Afghanistan. The country's overall security situation has greatly improved over the past 18 months, including in Karachi, its largest city that has been aflame in political violence for decades.

The Pakistani government vows to make no distinction in its crackdown between the various stripes of jihadist groups. But so far, its efforts have been almost entirely at the outfits waging war against itself while sparing those with an anti-India agenda, including JeM. As long as this continues, Islamabad runs the risk of becoming embroiled in a serious conflict with New Delhi that it did not intend.

*\*David J. Karl is the president of the Asia Strategy Initiative, an analysis and advisory firm focused on the nexus of politics and economics in Asia.*





# Female Genital Cutting: An Unknown Global Concern

*Mariya Taher*

*February 5, 2016*

*Female genital cutting is not restricted to the developing world—it is a global problem.*

Many people have heard of female genital cutting (FGC), which is also known as female genital mutilation or female circumcision. They have heard of the atrocious acts of women's genitals being cut open for cultural and/or religious reasons. They have heard of the health problems caused by the procedure, such as severe pain and bleeding, chronic infections, infertility and other equally horrifying, lasting issues.

They have heard that it is a human rights violation and that it is a problem in Africa. And they cringe. Yet the look of pity and sorrow that crosses their faces upon hearing about this practice is nothing compared to the utter disbelief that appears when I tell them that FGC is actually performed in the United States and that this practice is on the rise.

How do I know it is practiced in America? Because I grew up in an immigrant community in which Type I—the least invasive kind involving the removal of the clitoral hood—was practiced and, as a result, many of my friends and family members living in the US have undergone this procedure. It happened to me when I was 7 years old.

For those who might not know, FGC is a complicated custom, and the various groups who continue practicing it do so for a multitude of reasons: control over women's sexuality, hygiene, cultural identity, religion, gender-based factors (to be considered a "true woman"), societal pressure and more. Yet what is unique about this form of gender violence is that, often, it is a custom carried out by women to young girls—usually those who either believe that being a good mother means they must have it done to their daughters, or those who feel pressured into it by other elder women in their community.

## **AT RISK**

The Population Reference Bureau and the Center for Disease Control and Prevention (CDC) have released two separate studies estimating that more than half a million women and girls in the US have been affected or are at risk of FGC. The new estimate by the Population Reference Bureau indicates that the number of those at risk in America has more than doubled in roughly the past decade. Since the last CDC study, which was conducted in 1990, the number of women and girls affected by this practice has more than tripled.

The United States is not the only country that recognizes that FGC is a local problem. Another 2015 report estimates that 137,000 women and girls are living with FGC in England and Wales. Globally, more than 125 million women and girls are living with the emotionally and physically damaging effects of FGC. It is a human rights violation that is found in nearly every country in the world.

Recognizing this, world leaders have prioritized the elimination of FGC under the goal of achieving gender equality as part of the Sustainable Development Goals (SDG)—a 15-year plan to help guide global development and funding in the “areas of critical importance for humanity and the planet.” To guide governments’ commitment to the goals, a United Nations (UN) expert group has proposed global indicators to hold states accountable.

## **CRUCIAL DATA**

One such indicator under Goal 5—to achieve gender equality and empower all women and girls—is specifically related to female genital cutting, and has just recently become a required measurement for data collection that all countries globally will be required to track.

Prior to the implementation of the SDGs, only “relevant countries” were asked to track this type of data. Meaning that the occurrence of FGC was only measured in 29 countries in Africa and the Middle East where UNICEF collected data. Other countries where FGC has been known to occur, including the United States, were not required to track this information. Thus, for decades, millions of other women and girls suffering from this ordeal who lived in places not viewed as “relevant countries” were ignored.

This oversight has, unfortunately, led to the perpetuation of the misconception that FGC takes place only in Africa and certain parts of the Middle East.

However, we must now commend the UN for recognizing the need to collect FGC data on a global scale, as this will allow the United Nations to identify where else on this planet that women and girls are affected and to what degree.

Collecting such data is often difficult, as communities practicing FGC continue doing so in secret and women are frequently taught to not talk about the practice in public.

Yet the collection of such data is crucial, as only by ascertaining that there are vulnerable women and girls who undergo FGC in each country can the need for support services to help women and girls be validated. The collection of data from countries across the world will also help showcase that the practice of FGC has migrated as populations move to new parts of the globe.

Thus, this data will become vital in getting governments to pass and implement laws and policies against the continuation of the practice. It will encourage governments to create outreach and education programs training social workers, health professionals and child welfare personnel in how to recognize, respond and intervene sensitively to cases of FGC that can lead to the end of this practice in affected communities.

For instance, India has no ban on the practice of FGC and barely recognizes it as a form of gender violence. However, calling on New Delhi to track this data can help pave the way for legislation to ban the practice, and in turn validate that support services are needed for those who are at risk or undergoing the practice or who have had FGC performed on them.

In July 2015, the British government and UNICEF hosted the first Girls Summit aimed at mobilizing domestic and international efforts to end FGC. In addition to new legislation, the United Kingdom has helped create a national FGM Prevention Programme in partnership with the National Health Service.

By including an indicator to track FGC in each country, the UN has created a vital first step in understanding what sort of prevention and intervention programs are successful on the road to abandonment of FGC across the globe. For example, already, we know that Tostan, a Senegal-based nongovernmental organization has been successful in

shifting attitudes of FGC toward abandonment of the practicing by initiating Community Empowerment Programs. With inclusion of this indicator, organizations working in other parts of the world on the issue of FGC, like Sahiyo and Wadi, will also be recognized for their work toward ending FGC in our global community.

Finally, women like me—those who were born in the US and who have undergone FGC—will be counted, and in time, I hope, with the data collected and support services created, this vital step will reduce the prevalence of FGC among future generations.

*\*Mariya Taher is a social activist and writer who has been involved in the gender violence field for over eight years.*



# Somalia's Path to Recovery is Not Just About Elections

*Yusuf Hassan*

*February 8, 2016*

*With elections expected in summer 2016, questions are being raised over Somalia's electoral record.*

Somalia's political recovery will be tested in the lead-up to the 2016 national elections. It is widely agreed that the possibility of "one-man, one-vote" is both unrealistic and impractical. The war-torn, fragmented East African nation of 10 million people is not new to pseudo-democratic election processes. Since 2000, Somalia has used a strange and unfair power-sharing scheme among the country's so-called "majority and minority clans"—an alien system known as the 4.5 formula.

## **THE FORMULA**

At the Arta Peace Conference, held in Djibouti in 2000, Somali political leaders agreed to the 4.5 formula to distribute national parliamentary seats. By then, over a dozen Somali "peace conferences" were held, and faction leaders sought a political solution to clan power struggles in post-war Somalia.

Three subsequent national elections—one held in Kenya in 2004, again in Djibouti in 2009 and a third in Mogadishu in 2012—used the 4.5 formula as the basis for selection of national members of parliament (MPs). Reporting on Somalia's 2012 elections, *The Guardian* wrote: "The magic number is 4.5, a formula that acknowledges the primacy of Somali clan loyalties, ensuring that the spoils of power can theoretically be divided between the four main groups — the Hawiye, Darod, Dir, and Rahaweyn — and the 'others', an amalgamation of smaller clans."

The formula essentially divides the Somali people into five distinct groups and distributes national MPs based on an irrational and simplistic arithmetic to supposedly balance political power. The MPs, traditionally selected by clan elders through a

system of patronage, are empowered to elect the president of Somalia and perform other parliamentary obligations.

President Hassan Sheikh Mohamud has, both tacitly and through proxy, supported a return to the 4.5 formula. However, other political entities, including Puntland state in the country's north, have proposed a region- or district-based election model—a community-driven initiative that was similarly used to establish state parliaments in Puntland, Jubaland, Galmudug and Southwest. State parliament seats are distributed to districts within each state and, while belonging to a “clan,” all MPs in the state parliaments represent a district seat.

This hybrid tradition-democratic system used at the level of regional states has not been replicated in national politics. For the past 15 years, and despite its own shortcomings and its origin as a transient political compromise, the 4.5 formula has helped transition Somalia from a period of lawlessness toward governance and representative national institutions. However, critics blame it for institutionalizing the clan system, further polarizing local and national politics, and reigniting local conflicts.

Today, as the country prepares for elections in August 2016, the formula has incited debate and a divergence of opinions that largely align with Somali leaders' policy positions, threatening to further polarize a deeply divided society and fractious politics. To make matters worse, President Mohamud's two-year term extension proposal, cleverly referred to as “enhanced legitimacy,” has also provoked public frustration.

The path to the 2016 election is undoubtedly fraught with uncertainties, with regard to the election model and the question of political representation. International Crisis Group, a Brussels-based think tank, warned in April 2015 that “despite relentlessly upbeat messages and some advances in other sectors, the SFG [Somali Federal Government] and its institutions, especially Parliament, have made little real progress on key electoral preparations.”

Three months later, in July, the Federal Government of Somalia (FGS) and Federal Parliament issued a joint statement ruling out popular elections, but falling short of proposing an alternative. Instead, a National Consultation Forum (NCF) was formed, comprising federal and state leaders. The NCF has met in Mogadishu and more recently in Kismayo to engage in deliberations about an election model, resolving inter-state boundary disputes, and building the foundation for the 2016 electoral process.

However, the Kismayo meeting concluded on January 16 without any tangible agreement on the electoral process. According to a vaguely-worded communiqué, the NCF leaders “made progress in negotiating an agreeable compromise,” further delaying a decision.

The new United Nations special envoy to Somalia, Michael Keating, arrived in Mogadishu in January and—accompanied by US, European Union, African Union and Inter-Governmental Authority on Development (IGAD) diplomats—was engaged in private talks with President Mohamud, Prime Minister Omar Ali Sharmake and Parliament Speaker Mohamed Osman Jawari, in a bid to exert international pressure on Somali leaders to reach a compromise.

## **THE IMPERATIVENESS OF POLITICAL INCLUSION**

In 2011-12, Somali political leaders achieved a number of important milestones by working together to negotiate a Provisional Federal Constitution (PFC), which the National Constituent Assembly ratified later that year. It is hoped that NCF leaders will deliver that same spirit of cooperation that culminated in the challenging task of ending the 12-year transitional period in Somalia.

While the controversial scheme was used to select Federal MPs in 2012, the Garowe Principles stipulates that: “The 4.5 formula shall never become the basis for power sharing in any future political dispensation after the above-mentioned term [2012-16] concludes.” More importantly, the PFC makes no mention of the 4.5 formula as a basis for political power in Somalia.

In the historical election of 2012, new MPs unseated former President Sharif Sheikh Ahmed and elected President Mohamud to lead the FGS. The current government carries an additional burden after gaining international recognition as the country’s first permanent government in 22 years. But the public euphoria that followed Mohamud’s election—touted as a civilian, an educator and a progressive who lived in Mogadishu during the devastating civil war years—slowly disappeared after the president engaged in divisive politics and alleged corruption, and replaced two prime ministers in two years.

In effect, Mohamud was continuing a vicious tradition of cutthroat politics that breeds widespread social discontent and political unrest. He soon learned that traveling to London or Washington as Somalia's "new hero" did not amount to national legitimacy. In reality, his administration became like its predecessors, crippled by partisan politics and characterized by political infighting and failure in many of its security and state-building objectives.

But the nation's present condition is not completely the fault of any single leader or administration. Somalia has deep problems—in reconciliation, fair politics, institution-building and economic opportunities—and the FGS was doomed to fail from the onset. A government largely reliant on foreign military muscle and foreign aid cannot be the expressed guarantor of Somalia's national sovereignty. The African Union Mission in Somalia (AMISOM) is funded to the tune of \$50 million a year, an expensive endeavor in a world that is increasingly in need of peacekeeping operations.

In 2014, the United Nations and other international agencies received \$400 million—after requesting \$933 million in a consolidated appeal for Somalia—and implemented numerous projects in food security, water, health, education and other social sectors throughout Somalia, with the US donating 24% of total humanitarian aid. In 25 years of political unrest, the provision of basic services and the mitigating of humanitarian and environmental crises have largely depended on international assistance. Hence, without relying on its own security capacity and revenue base, the FGS cannot exercise sovereign rule and can only be a participant at a table shared with international partners.

In May 2015, US Secretary of State John Kerry briefly visited Mogadishu's Aden Adde International Airport, in a trip designed to shore up international support for the struggling government of President Mohamud. While meeting with the president and the prime minister, Secretary Kerry said: "We all have a stake in your success. The world cannot afford to have places on the map that are essentially ungoverned."

Somalia has long been considered to be among the world's foremost "ungoverned spaces," and the international community prescribed a range of "First Aid" policy options: humanitarian interventionism in the 1990s; failed nation-building programs; and, most recently, a militarist approach to "neutralize" threats of terrorism and maritime piracy. However, no external approach solved underlying roots of the Somali



conflict, a responsibility that only the Somali people—through their leaders and institutions—can shoulder.

## **PATH TO RECOVERY**

The reality is that Somalia ceased to be a monolithic entity after the state collapsed in 1991, with separatist movements, autonomous regions and armed factions emerging to replace centralized rule and fill the power vacuum. In a September 2015 report, the London-based Chatham House policy institute concluded that “for the purposes of reaching a durable settlement, the existing and developing political realities on the ground [in Somalia] will need to be accommodated.”

International concerns of threats emanating from “ungoverned spaces” are valid and, therefore, draw attention to the necessity of bolstering local capacity to address roots of conflict and disorder, including community reconciliation, conflict resolution and the promotion of representative democracy, rule of law and wealth sharing.

Additionally, and equally important, a national process of justice that addresses war crimes and human rights abuses must commence, at all levels, to end impunity and ensure that criminals and war profiteers face justice in Somalia.

This is the only viable path toward a long-term peace that restores the nation’s sovereignty and reverses the trend of political instability and violence triggered by state collapse. Only a representative, responsible and accountable Somalia can placate international concerns and ensure competing foreign policy intentions and practices do not harm the nation’s long-term stability and future prospects.

The 4.5 system had its 15-year shine, and like all things transitional, it must end to allow Somali constituencies in regions and districts to choose their MPs in the Federal Parliament. The 2016 election is definitely a major test for Somalia’s path to political recovery, but it is not an insurmountable task.

*\*Yusuf M. Hassan, a Somali-American journalist, is a political and media analyst on Somalia and Horn of Africa affairs.*



# Does Religion Have a Place in the 21st Century?

*Nagothu Naresh Kumar*

*February 12, 2016*

*A post-secular society is marked by recognition that religion is once again important.*

According to a widely disseminated 2015 study by the Pew Research Center, the US is drifting away from religion. Taking the cue, Daniel Dennett, one of the four horsemen of atheism, wrote that religion has been waning for centuries, and if the trend continues, religion will disappear—at least in the West.

Dennett joins many thinkers such as Voltaire, Auguste Comte and Max Weber, who have over the course of centuries enthusiastically sounded the death knell for religion in various ways. Modernization theory and its corollary secularization thesis did much to bolster and almost cement the idea that religion and modernity are engaged in a zero sum game. For many observers and analysts, a smoking gun in the case for secularization and the death of religion is the decreasing church attendance and the rise of “nones” in the West. This incontrovertible piece of evidence, however, does not show that religion is on the wane, but that it is changing forms.

Far from kicking the bucket, religion has been thriving, changing and gaining in influence in various hues of everyday lives across the world. Religion, in other words, is here to stay. This phenomenon is discernible by looking at three interrelated aspects of how religion and religiosity are increasing, adapting and finally impacting societies across the world in a post-secular age. These facets of religion are punctuated by contradictions, upheavals and innovation that are central to understanding its transformation across the world.

## **BELIEVING WITHOUT BELONGING**

The perils of identifying religion with a tangible structure are many. Changes in religiosity due to the impact of globalization do not lend themselves hostage

to statistical measurements. Most surveys about religion go by narrow definitions and ask if respondents have been to a place of worship in the last seven days. They do not take into account the factor of “believing without belonging” (the category of “unaffiliated” is usually portrayed as irreligious or non-religious). People no longer want to be dictated the terms to their spiritual success. There is seemingly an aversion to organizing lives around central and impenetrable institutions. This aspect of religion where faith exists independent of structures and institutions led the sociologist Grace Davie to write of them as “believing nonbelievers.”

As the sociologist Nancy Ammerman writes, people are concerned about religion as ever and do find religion in everyday lives, but move away from the institutions of the church. Thus, many Christians retain their Christian affiliation, but not with other Christians as part of a large and global institution. The “nones” as a group connote that religious activity, especially in America, will increasingly take place outside the ambit of the institutional church and, therefore, the question is about its form rather than survival. Thus, the dechurched are Christians without Christian affiliation. Most of them today are not against religion per se but institutions.

In Canada, as well, the force is with religion and belief in angels at 62%. In the United States, belief in angels is also staggeringly high. In Latin America, popular religion is also making major strides against institutional religion. Its reasons for the decline may be evident in its relationship with the dictatorial regimes of the past, especially in Argentina.

## **CHINA AND RUSSIA**

With the advent of the post-Cold War era, countries that sponsored atheism have come to realize that religion still packs a punch. In China and Russia, the uses of religion are not lost upon its political dispensations. Russia has increasingly drawn its support in favor of the Russian Orthodox Church, and China has gradually toned down its anti-religious stance where the fastest growing religion is Protestant Christianity. It realizes that religion may provide resources for stemming social unrest and protecting the moral fabric of the society.

In Russia, 72% of the adult population identified themselves as Orthodox Christians in 2008. In spite of the state-sponsored militant atheism for decades, religion refused to die and, today, in the form of the Russian Orthodox Church continues to exert

an unparalleled influence. Article 36 of China's constitution recognizes five official religions—Buddhism, Taoism, Islam, Catholicism and Protestantism—but they are regulated and closely monitored. Many still fear the Chinese state apparatus of being seen as overtly religious or having a religious membership, since movements with large following or popularity such as Falun Gong are looked at suspiciously by the state and even banned.

One among the many lives of religion is its contradictory nature wherein it could be marshaled for ideological reasons as well as recruited as a conduit to the wider world. For both the Russian and Chinese governments, religion offers a toolkit for building a new society or coming to terms with the changes that ripple across the world through globalization.

Africa, meanwhile, is a fertile ground as it is expected to be the locus of religious growth and boom over the next few decades for Islam and Christianity. On the other hand, while not growing as fast as Christianity, Islam and Hinduism enjoy commitments higher than in any previous centuries. In fact, out of all the world religions, only Buddhism may not be growing.

## **HOW RELIGION ADAPTS**

One obvious reason as to why religion survives is that it is adept at adaptation and is always tweaked for the local environment. It is important to note that religion is a chameleon of sorts with its dynamics, and not an immutable structure that is etched in stone forever.

However, contrary to this, world religions seek to see/depict themselves as homogeneous entities that embrace orthodoxy and consistency. But this aspect of world religions has more to do with how they wish to see themselves. Their legitimacy is premised upon permanence and past prestige. Even if these religions lay claim to being universal and espouse orthodoxy as well as orthopraxy, they are locally rooted and indulge in intrareligious diversity. Additionally, they continually interact with other religious communities (sects, denominations and religions) influencing as well as being influenced, resulting in syncretism. Thus, the local lives of the world religions matter as much as the global.

New religious movements, too, do not seek a modern birth or depict themselves as products of globalization, but see themselves as heirs or successors from bygone eras.

Any world religion, for that matter, is not monolithic, but a tissue of representations that results in confrontations and contestations across the world with other faiths as well as within itself. The result is an unending contestation in making and unmaking of practices and identities. As a consequence, world religions of today may vanish—as religions from the past have—centuries from now, and relatively insignificant and unimportant movements of today can gather steam and acquire world religiosity in the future.

With the onset of global forces and communication technologies alongside population mobility, boundaries are increasingly traversed, bringing in a diverse range of perspectives leading to a stressful situation for older religious institutions. In such a scenario, some may adapt and others may render themselves maladaptive.

## **LOSS OF TRUST**

A discernible macro trend across the world is the loss of trust in religious institutions and leaders. They are increasingly seen as irrelevant to the personal lives by many. A 2013 Gallup survey in the US on the honesty and ethics of clergy profession had dropped to 47%, falling below 50% for the first time since 1977 when the question was first posed.

Religious actors have also been under stress. But they too have adapted. No longer do religious and spiritual teachers indulge in the pulpit preaching from red brick buildings. Instead, they take to satellite TV and the Internet. Every morning, hundreds of television channels across India beam astrology shows to predict the day for its followers. In the Middle East, the televangelist Amr Khaled, preaching tolerance and interfaith understanding, bypasses traditional religious leaders and political structures, reaching and influencing millions through new mediums of connectivity. These mediums also provide a voice to Muslim conservatives such as Zakir Naik, who through his Peace TV reaches a mammoth 200 million viewers across South Asia and the Middle East.

Thus, the Facebook era provides a platform for liberal as well as conservative voices leaving any unadjusted religious establishment out in the cold.

## **RELIGION AS AN ANCHOR**

With the loss of faith in secular nationalism and a flurry of forces brought in by globalization, traditional structures and institutions across societies are inverted leaving many individuals rudderless in a sea of confusion and disorientation. In this vortex of forces, individuals and communities are continually assailed by myriad perspectives sowing confusion and angst. The sheer multiplicity of choices and options invoke new anxieties. In such a scenario, religion can market itself as a viable option providing a sense of certainty and stability.

In this hodgepodge of scenarios, religious anchoring in social lives can go either way. It can become a bastion of tradition and conservative forces that seek to rail against the malaise of modernity, Westernization and multicultural tendencies of the contemporary world or can sync itself well with a cosmopolitan ethos.

Many immigrants in foreign societies also use religion not to reject the norms of the host societies, but to ground themselves and find a footing. Religion can also provide resources for spiritual values by marketing a common denominator across faiths—a spiritual depth that every religion has. This is evident in the way many people across religions consider themselves as spiritual but not religious. With instantaneous communication and connectivity, many have come to realize that there is no one way of being Muslim or Christian. They can espouse identities that need not be along either/or paradigm but can coexist simultaneously.

Religious leadership also can sow ambivalence and easily marshal religion for espousing authoritarianism as evident in Saudi Arabia. But more importantly, for many, religion and its moral authority can provide resources and act as a vector of change against anti-authoritarianism as seen in Iran, Latin America, Asia, eastern Europe and Africa. Its presence is discernible in the current global surge against anti-authoritarianism too.

## **THE POST-SECULAR AGE**

Europe's experience with religion has been far different from that of other regions. The church got implicated in its support for authoritarian governments as well as for ratcheting up a conflict that led to the privatization of religion and an elimination of its claims in the arena of politics. But a closer look shows that this alleged demarcation between religion and politics is not rigid even in the West. It is porous and fluid. Politics in America, as well as France, show that religious discourse married to a dominant religiosity is not absent—as it is purported to be.

In Muslim-majority countries, on the other hand, especially the Middle East, Islamist movements have been at the forefront in opposing authoritarian regimes by disseminating political discontent through the language of religion. Thus, while the vehicle of opposition to authoritarianism in the West was channeled through a secular toolkit, one forged from religion helped mount a strong opposition to authoritarianism in Muslim-majority countries.

Triggered by a loss of faith in secular nationalism along with betrayed promises, colonialism and an association of “secularism” with imperialistic intrigue and interference, many in the Arab world have turned to religion as a source of alternative locus of identity. Secularism in this sense is imbued with suspicion and looked at askance. Compounding this, the persistence of religiosity across societies has created issues for the states where a purported liberal political system nevertheless seeks to exclude religion from the political decision-making by dubbing it as irrational and a relic from the past that needs archiving.

Sensing the increasing role religion has been playing in politics as well as the public sphere, post-secularism as a term has been suggested to diagnose such a situation. A post-secular society is marked by a recognition that religion has returned, or a realization that it never actually disappeared but remained merely unnoticed. It recognizes the abiding role religion plays in society and gives credence to the idea that it is a repository of resources for community and ethical building.

More importantly, it seeks to overcome the antimony that is placed on the secular/religion. Religious and non-religious communities and individuals are thus equal in a post-secular society. The post-secular is also marked by a development where political demands are not restricted to the realms of the social and political arena, but increasingly involve cultural aspects as well.

But a rejection of secularism here is not tantamount to a rejection of democracy or religious pluralism or freedom for that matter. Tunisia's constitution of 2014—a hard-won bargain between Islamist and secular parties—is emblematic of post-secular developments where Islam is the state religion but derives its legitimacy from the people and bestows freedom of religion and rights on all without discrimination. The question that animates Muslim societies is not whether democracy is compatible with Islam. That has been answered emphatically and affirmatively. But what form it would take is a crucial development to look forward to.

Moreover, differing versions of secularism attuned for the local environment can have distinct consequences for societies. In Turkey, with its proximity to the European Union, Western notions of secularism are imposed trying to keep Islamic influences at bay.

India, meanwhile, has seen a rekindling of Hindu chauvinism/enthusiasm. Armed with a growing confidence, the new digital generation desires a bigger role for itself and thus by extension for India in the global arena. In such a scenario, its toolkit comprises entrepreneurship, business acumen and an unqualified embrace of vikas (development). Religious pluralism and a climate of coexistence are welcome but not essential and, in fact, non-essential if seen as encumbrances in this path to development.

The older and pre-enlightenment form of religiosity allowed for a lot of diversity in the Middle East and South Asia. But with the post-enlightenment, religion can easily be linked with nationalism and ethnicity sharpening the boundaries of inclusion and exclusion. Whether the post-secular moment results in a toxic mixture of religion and exclusionary politics or agreeable compromises with inclusive religiosity, religion will be the central actor.

*\*Nagothu Naresh Kumar is a graduate student at Central European University, Budapest.*





# Israel's Challenge is Becoming An Active Actor in Middle East Politics

*Josef Olmert*

*February 16, 2016*

*Can Israel take advantage of new political openings in the Middle East?*

At best, politics in the Middle East is shifty to the point of anarchy, but since the events of 2011, erroneously called the “Arab Spring,” the region has become completely chaotic. Whatever the basic causes of this volcanic eruption are somewhat dwarfed by the obvious consequences, chief among them the partial collapse of state systems in the post-independence era.

Yemen, Libya, Iraq and Syria are states by name, but in reality, they are failing political entities, engaged in civil wars that are focused on the question of identity and political stability. Other countries are grappling with the same problems, though not exercising the level of mayhem as the states mentioned. Taken together, it seems that we are now witnessing an updated version of the late Fouad Ajami's description of the Arab predicament.

## **THE MIDDLE EAST TODAY**

There are, at least, two important differences between previous crises in the Middle East and those today. First, the current Arab predicament is becoming an all-out European problem, because of the flow of refugees. Maybe it is too premature to talk about the Middle Easternization of Europe, but the process of it becoming so is well in sight.

However important it may be, this article dwells on the second important difference between the Arab predicaments of then and now, which is the changing role of Israel. Israel, the traditional bogeyman of Arab and Middle East politics, has not suddenly become the favorite, likable neighbor—it is far from it. However, other things are

happening, and they have a basic cause and also carry the potential of important future implications.

Egypt under President Abdel Fattah al-Sisi returned its ambassador to Israel after three years of absence. The Egyptians and Israelis did so amid the turmoil in the disputed territories of the West Bank, and at a time when the Palestinian Authority is threatening to sever whatever relationship it still has with Israel. Egypt voted in favor of Israel in the United Nations in November 2015, and while it was not on a significant issue, it was a symbolic gesture. In fact, it was the first time Egypt voted in favor of Israel since 1948. Additionally, Egyptian aircraft were allowed to fly over Israel in order to monitor Gaza, among many more examples.

So, what is happening?

Well, in one respect, the implications of the events of 2011 and afterward are such that, even with regard to Israel, the most important Arab state is following the political science textbook, rather than the book of hatred, and is applying the simple, old rule of “the enemy of my enemy is my friend.” Hamas is the Palestinian branch of the Muslim Brotherhood and, therefore, an enemy of Sisi.

Iran sends its long hands to Gaza, again an enemy of Sisi. Turkey, under President Recep Tayyip Erdogan, is another foreign power that positioned itself against the Egyptian leader and also against Israel. Erdogan is interested in a rapprochement with the Israelis, but it is worth noting that Egypt asked Israel to prevent Turkey from having any foothold in Gaza. The bogey man of the Middle East is becoming a participant in the regional game. This is not a revolutionary change, but an important one.

Regarding Egypt, relations with Israel are opening, but much less so in the case of Saudi Arabia. The kingdom is still the most impeccable Sunni Arab adversary state of Israel. Wahhabism rules supreme and the Jews were never the favorites of the House of Saud. That said, the reality of the Middle East post-2011 is also having an effect in this circumstance. Much is happening behind the scenes in Saudi Arabia, but the little we know is important nonetheless.

Saudi Arabia and Israel are engaged in an active political and strategic dialogue, with Iran and the United States in the background. The Iranian nuclear program is now internationally sanctioned, and it is something the Saudis are as vehemently against as

the Israelis. For them, the modern-day Sunni-Shia conflict is being exacerbated by Iran's intervention in Yemen, Iraq, Lebanon and Syria. The US also poses a problem, because both Israel and Saudi Arabia have lost their faith in the Obama administration.

## **ISRAEL'S CAVEAT**

A basic problem is emerging, which is the inevitable byproduct of 2011 and afterward. Arab regimes have lost their self-confidence—they feel threatened by forces that they find hard to control, or even contain. The Islamic State is one of them, as well as other jihadists and extremists like al-Qaeda and the Muslim Brotherhood, Iran and Shia Islam, and the changing role of the Obama administration. In a time like this, of extreme concern and high level of unpredictability, old habits may still die hard, but somehow dying they are. Israel is the unpleasant neighbor around, but maybe the one so needed to help weather the storm.

So, where is Israel in all that?

One thing is for sure: The Netanyahu government, and the Israeli public at large, like the idea that there are new political openings for Israeli policy in the Middle East. But in a typical Israeli way, they are divided as to what policy. Prime Minister Benjamin Netanyahu is the key man because barring a political disaster, he will remain in office throughout 2016.

He is also the key because he does not favor political and diplomatic initiatives that may risk his right-wing coalition. Here is a catch, the prospect, the challenge for Netanyahu: Stop being a politician, be a statesman and go after the newly opening, moderate Sunni option. But for that to happen, he has to disengage from the current coalition and form a new one with Yair Lapid's Yesh Atid Party, and possibly the Labor Party, so that he can do something with regard to the Palestinians.

No progress with Sunni states can happen without a change with regard to the Palestinians. Even in the case of Egypt, the current honeymoon is so fragile, mainly because of the events in the West Bank. Progress with the Palestinians requires the Israelis to go along, because Israel is stronger when it has more cards to play with.

It is the role of the statesman to play first. Will Netanyahu live up to the challenge? This is unlikely, but he can surprise, and he knows that there are some tangible rewards

awaiting Israel. No, open relations with Saudi Arabia and other Arab Gulf states may still be way ahead in time, but the journey should and could start in 2016.

*\*Josef Olmert is a Middle East scholar, former Israeli peace negotiator, political insider, journalist and author.*



# The Muslim Woman Who Fights Like a Man

*Maria Khwaja Bazi*

*February 17, 2016*

*An Australian boxer talks to Maria Khwaja Bazi about being a Muslim woman and someone from an ethnic background.*

Bianca “Bam Bam” Elmir is dressed in a sky blue shirt, squished on a Skype screen on an early morning in Melbourne. Although she is half a world away, her energy is evident even through a screen. Next to her is Jemma van Loenen, the producer of Bam Bam, the documentary.

We establish her history immediately: “I come from a Lebanese background, my grandparents migrated in the ‘50s to Australia. I was raised in Canberra, where I’m based, by a single parent, my mom, who divorced my dad when I was very young. I was 2.”

Shifting slightly, she adds, “I met my dad at 27 properly; we’ve had a very loose relationship since then. My mom, on the other hand, has raised me on her own.”

It is not the first time in our conversation that I am surprised by Bianca’s candor. She is direct, open, occasionally pushing back her curly hair and shifting as she speaks. The Australian boxer is evident even when she is seated not just in her body, but in the way she moves occasionally, unable to sit totally still.

## **SPIRITUAL MOMENTS IN THE RING**

The tagline to Bam Bam the movie is “Boxer. Woman. Muslim.” I ask Bianca about the Muslim part, first, curious as to how she defines herself in this regard.

“My mother, she didn’t really have a strong connection to the faith growing up ... she didn’t wear the scarf and she didn’t pray,” Bianca replies. “She’s becoming more

devoted as she's grown older. At 13 or 14, my attachment to Islam was the strongest in my life. It cemented my identity."

She pauses, and then continues: "Since then, I've changed, and the religion has changed with me. I still consider myself a strong believer. I feel like my faith is at the center of who I am and everything I do. Boxing, for me, is something very close to my heart because it's raw."

Bianca's unexpected shift toward discussing boxing in the midst of discussing Islam throws me slightly, but she finishes her thought with an eloquence that I'm beginning to see is an indisputable part of her.

"It's very close to my emotions: being a fighter and sticking up for what you believe in and believing in yourself and have the most acute focus and focus to detail. I feel like my faith enhances those elements in me. Islam is about sticking up for what you believe in and fighting for a cause and believing so deeply in something and committing to it. I think [boxing] runs parallel to that. It's a very spiritual moment in the ring."

When she says this, I immediately think of the traditions of Muay Thai, or Thai Boxing. In a traditional Thai fight, a number of ceremonial rituals, including the Wai Khru Ram Muay dance and the wearing of mongkol (or mongkon) headdress, form an enormously important part of every fight.

Bianca, who has a background in mixed martial arts, confirms my thought when she continues: "When I come in and out of the ring—we get these traditions from the Thais, the blessings coming in and out—I thank God. I don't necessarily thank the spirits, but I thank God, always, for my opportunity in the ring, whether it's training or fighting. In the moments of despair when I'm at my wit's end and I've got someone trying to take my head off in front of me, I have a second of self-doubt and that's when I turn and restate to myself that myself that I believe in God and myself and this opportunity and this moment."

"My religion gives me a lot of inspiration," she finishes, simply.

I wonder if Bianca's experience of religion is reflective of a very private negotiation of her Muslim identity, without the input of a larger Muslim community.

“In a way, yes, I look at other young people ... it’s a confusing time in that you’re trying to figure out your identity, how you fit into the particular community you’re a part of, and if you’re a part of a diaspora that doesn’t have a lot of momentum, you feel like you have to shout a bit louder. With the religion, I felt on the periphery—living in Canberra, it’s a very middle-class, white suburban city, I always felt a little bit on the outside—anyway, even though it’s a very inclusive space, I felt like I had to stand up from when I was very young.”

The idea of growing up surrounded by a different, dominant narrative is so similar to my own childhood. I tell Bianca that I went through the same process of identity negotiation and she nods, continuing: “Having the religion as a label, being Muslim at the time, gave me comfort and gave me that pathway, especially being quite a young person, I was searching for that. Kind of similar to you, I didn’t need to shout as loud about needing to verify who I was. I was more comfortable having nuances about being a girl, a Muslim, someone from an ethnic background.”

She pauses, laughing: “So, having all those different narratives, I’m still nostalgic about those days because things were so clear and I was confident about how things were right or wrong. Understanding what is evil and what is not evil. I feel like I’ve got a more progressive understanding of the religion, now. Community work, care for the people around me, care for the people that were ill—[Islam] instilled that in me and I still hold on to that, treat people with respect, if someone is poor, look after them. You have to help people in need. Those are the things that have stuck with me.”

## **IDENTITY AND FEMININITY**

When she pauses, she and Jemma both look at me expectantly and I sheepishly admit that, from the trailers for Bam Bam, Bianca comes off as far more aggressive and defiant than she does in person, where she is immensely articulate and thoughtful.

Bianca laughs: “I feel like I’ve become quite masculine. My particular gym is only boys, so I’ve had to take on a persona which is a little, you know, thick-skinned. Can take anything, can take all kinds of comments, can take any guy they put in front of me, so I think I’ve developed that quite well over time, out of survival. My coach has a lot of confidence in me but then will also put me in front of anything.”

She shifts a little, still grinning: “I think at times, ‘I’m getting my head pummeled in and I don’t know what’s going on.’ Through self-preservation, I’ve had to take on this persona of toughness and true grit, bite down on my mouth guard and get through everything.”

Jemma, looking a little startled, adds: “That’s interesting, I didn’t realize that was coming across. I wanted to create some kind of in that, there’s a goal she’s trying to achieve and there’s been obstacles to overcome, like the ban ... but also to balance that with what gets Bianca through.”

She adds: “I did have a little snippet that I wanted to put in there, there’s a snippet of you rubbing your face and you say you like having your face patted, to balance this full on aggressive thing where people are punching you in the face. You have that need to be nurtured.”

Bianca smiles playfully and says, to me this time, “I just want to be hugged.”

“Being in a highly sexualized environment,” she continues, pausing briefly to become more serious again, “I don’t want to come across as too cute and too much of a princess. Maybe I’ve gone too far the other way. I’ve found at times I need to re-center and ground myself; I find myself losing a bit of my identity and femininity, which I really embrace and love about myself. The paradox is really difficult.”

Many female fighters and athletes, including Serena Williams and Ronda Rousey, contend that being “feminine” and an “athlete” are not mutually exclusive. While Bianca seems to agree with this, she also contends that the traits of aggression and dominance visible in boxing are male traits that she must take on in order to survive. In a way, she must “fight like a man” while still finding ways to express her femininity.

“Feminine, to me, is maybe having a more nurturing, a more humble side, a caring side. Feminine is being more considerate—I see it as all of those things. I don’t express those things in the ring; otherwise I’d get my head punched in. So then I express my femininity through dancing—I’m always dancing around in the gym. It’s quite sexualized dancing, sometimes, but it’s the one space I know no one can take from me, where I can be chill and be a girl, I can feel my body and I can dance.”



She pauses and looks at Jemma, thinking, and Jemma adds: “It hasn’t necessarily come through yet in the trailers, but it’s definitely something we’ve talked about and we’re interested in.”

“It’s almost like this alter ego has become me,” Bianca says, smiling again. “I’ve got this persona and I’m so mindful. I don’t even let men go through that. It’s fascinating looking at the person I was a few years ago to what I am now. I would walk into an office as a political advisor with beautiful skirts and high heels and jewelry and I was the face of the office.”

I can’t help but think that Bianca’s blunt admission that yes, she does have to take on what she defines as masculine characteristics is almost more honest than most negotiations about gender.

“All those things are amplified in the sporting world. I have to hold my own, and if I’m emotionally fragile or I’ve had a bad day and I want to cry, yell or scream, I have to hold out on my own. My coach isn’t going to hold on to those things. I’ve chosen a sport that really amplifies it.”

“It’s a very fine line,” she continues, “I’m not going to dumb myself down or make myself ugly just in case you find me sexually attractive—you have to own that and you have to be responsible. But don’t cross my boundaries. If you want to admire me, that’s fine as well, but first and foremost I’m an athlete and I want to be respected for that. Honestly, if there was a whole heap of other girls at the gym, I might find that threatening. There was a girl that came once and she had a bit of a sulk about the weight we were working with and I blanked her.”

She finally, in the interview, shows the aggression that is so evident in the movie trailer: “Don’t put me in your ‘please help me circle.’ I worked hard for this. I’m going to lift this weight and I can do it. I had to spar her, I sparred hard, and she never came back.”

When Bianca sits back a little, pausing, Jemma adds that they have been trying to explore the ideas of aggression and the labels imposed by society.

Bianca leans back in and says, “The debate is so interesting, anyway: to be feminine, and through Islam on top of that, where feminine is such an external experience, it’s

understood to be external. Femininity is something very personalized and it's centered in the private sphere and celebrated amongst women."

She continues thoughtfully: "But I'm living in a Western country. I never really felt like I needed to wear a short skirt. I felt like I went the other way, I felt like one of the boys, so I got the label 'tomboy' which I find so derogative. I hate the word. I box in a skirt just because, because girls will try to show that they're just as good as the guys and wear the same thing as the guys, but that's why I wear a skirt, it looks good on me and is different."

## **FIGHT OR FLIGHT**

There is no question that Bianca is a bundle of contradictions: articulate, aggressive, spiritual, sexual. Yet this is perhaps the most intriguing part of her: the constant, ongoing negotiation of her identities. While other women attempt to straddle precariously, Bianca is defiantly who she is with very few apologies.

"I moved out when I was 21," she explains. "I was ostracized, I was on my own, traveled on my own, lived on my own, got myself through university. That was hard. I was young and I really had no one else. I had no family at all, so whilst I can sit here and say, very confidently, yes, this is who I am and say that, this has been a hard road."

When I ask her who she is, she replies, "The fighter narrative. Fight or flight. I fought back for myself, for what I wanted to do, for the person I want to become. I could quite easily still be living at my mom's house, gotten married, become the person she wanted me to be, put on a headscarf and been done with it. I didn't."

As we begin wrapping up our conversation because Bianca must prepare for a flight, I am particularly interested in her feeling that she negates some of her femininity and sometimes, in her own words, uses it to "manipulate men."

"I feel like I can get it over any guy, it's really interesting because I express it when we have these big kickboxing events," she says, smiling again with an ever-present charm. "It's when I get the chance to dress up, that's really when I can cement my femininity, the juxtaposition of who I am. I love the shock element and I find people treating me totally different. I'm the sexy girl, I like playing that role."

“I know that deep down,” she says, pausing ruefully, “I’m still a woman. I feel like I have these sides of me where I do want to care for people and treat them kindly. With men in particular, I feel like I need to conquer them. That might have something to do with it. Maybe it’s my daddy issues, I probably do have daddy issues.”

She chuckles again, grinning at Jemma and myself: “At least I’m self-aware! I’m lucky I’ve had that self-reflective part of me for a very long time. I’ve been analytical in writing diaries and I’ve always had someone to confide in. Being open and adaptable to change, I feel like I’m open to what life presents.”

Even first thing in the morning, this woman’s charisma is evident. Jemma, the producer, has been a quiet presence throughout the interview, but it is Bianca who has taken center stage without much effort.

### **“YOU ARE WORTHY”**

As Bianca gets up with a cheery wave to begin preparing for her flight, I ask Jemma why she chose Bianca as a documentary subject.

“I want to give a different angle,” Jemma responds, “from what is out there on Australian TV and cinemas, something that is a little left field, and I guess connect it with that sort for people about following a dream. The plotline for Bianca is to be a world champion—to be the best at something, everyone has that dream in some form or another, in whatever career or vocation that’s in, but it’s too easy for us to lose that. It’s easy to doubt and fear and to give in to those things.”

We say goodbye and end the call, but in the silence afterward, it is Bianca’s final thoughts on what to say to other young Muslim girls that resonate with me.

“My message is that throughout your journey, which you need to define yourself, there will be moments of anxiety, fear and doubt, and all of those things are okay and they’re a part of the journey,” she says.

“It’s really important in withstanding those emotions that you cultivate self-belief and that way that you can do that is just by working really hard, looking at yourself in the

mirror now and then, revisiting your own eyes, and looking deep into those eyes and telling yourself you are worthy.”

*\*Maria Khwaja Bazi is the founder of Elun, a nonprofit organization dedicated to teacher education in the developing world.*



# Interview With Former Porn Star Exposes India's Misogyny

*Tanvi Kusum*

*February 19, 2016*

*Indian attitudes toward sex are misogynistic and hypocritical.*

In January, an interview with Sunny Leone, a Canadian-Indian actress and producer, by seasoned journalist Bhupendra Chaubey took India by storm. Before becoming the Bollywood star she is today, Leone worked in the adult entertainment industry in the United States. Now, she commands an impressive fan following in India and was the most Googled person of the year in 2015, surpassing Indian Prime Minister Narendra Modi.

## **THE INTERVIEW**

The interview's main focus appeared to be soliciting some sort of regret and emotional breakdown from Leone. Chaubey started with a cryptic inquiry of her name and asked if it was OK to call her Sunny—a name she gave herself when she ventured into the entertainment industry and the only name she is referred to by. It seemed he wanted to elicit some long-lost nostalgia about her innocent childhood, and how she misses the person she was before—the person named Karanjit.

Chaubey grilled the Bollywood actress on the regrets she may have professionally, assuming that if one decides to work in the porn industry it must be because they were forced to do so. In a definitive Indian style, he was looking for a sob story that would validate Leone's decisions.

It is difficult for Chaubey—and surely for many Indians—to fathom how a girl could, under no obvious pressure, resort to working in the adult film industry when so many of us cannot even utter the word “sex” with ease.

Indian women are supposed to be non-sexual beings and hide from the very suggestion of the act. Allegations were hurled at Leone under the garb of “public curiosity,” and she was accused of increasing the public demand for pornography in the country and ruining marriages.

It was amusing to watch Chaubey first refer to housewives, and then quickly change his statement to women in general as being scared of Leone. It seems as if his view of women is one of meek housewives stuck at home, watching television and dreading the day their husbands decide to explore greener pastures.

The most shocking part of the conversation occurred when Chaubey asked Leone if he was being morally corrupted just by talking to her.

Sunny Leone refers to herself as a woman who just wants to work and as someone who is glad to have a job she loves, but Chaubey wondered if having work only mattered because of money and if she saw her career from a more artistic standpoint. He asked if a Bollywood superstar like Aamir Khan would want to work with her, reinforcing the stigma attached to her past. The former porn star was poised and unapologetic, saying that her past is what has got her to where she is now, and she would gladly make the same decisions again, simply because it had made her successful and independent.

It was tortuous to see a senior journalist reinforce his prejudices with such maliciousness on national television. Had it been the Bollywood superstar Shahrukh Khan, it is unlikely that Chaubey would have found the guts to ask him such controversial questions. Tusshar Kapoor, an Indian actor who has starred in many adult Bollywood comedies, has never been subjected to such questioning. Was it easier to throw mud on an independent woman sans any nepotistic connections in Bollywood?

Being a porn star is not a pitiable condition to be in. It can be a place where women feel extremely comfortable with their bodies and sexuality. Working in the adult entertainment industry may not be what a child aspires to, but it has certainly become a valid career option for adults. Sunny Leone says that when she met the agent and saw pictures of other women, she didn't think of them as haunted and oppressed, but saw them as bold, sexy and beautiful. People make varied choices in life and no one should be blamed for their decisions.

Leone recently said in another interview that she felt alone and upset during Chaubey's interrogation. The Indian journalist felt entitled to ask such personal questions, because he considered her to be less of a human being due to her past and refused to congratulate the actress on her professional success in the film industry.

## **MISOGYNY, CHAUVINISM AND HYPOCRISY**

Bollywood is known to be misogynistic. Movie plots often revolve around the male hero, and actors experience gender discrimination with their salaries. If the Bechdel Test was to be applied to Bollywood movies, 99% of them would fail.

This only forms a small part of the larger discriminatory practices in Indian society. According to Pornhub's insight report for 2015, India came third in global traffic to the pornography site, after the US and Britain. Interestingly, Indian women were the third highest consumers of porn, second only to the Philippines and Brazil.

Incidentally, the Indian government banned 875 porn sites in August 2015 without any prior indication. The ban was soon revoked after widespread protest against government censoring attitude and undue encroachment in private life.

In-house production of porn is banned in India and it has led to stigma and, as a result, greater curiosity among people. In the interview, Chaubey referred to a politician's statement that Sunny Leone was responsible for increasing this consumption—three state ministers in India were caught watching porn during a Legislative Assembly session in 2012.

This sort of hypocrisy is commonly practiced in Indian society. We want the rapes to stop, but are scared to give our women any power. We condemn child feticide, but do not take strict actions against Khap panchayats—the congregation of village elders who have turned themselves into quasi-judicial bodies pronouncing judgments on the basis of regressive customs and traditions that sponsor honor killings.

In India, women are made the face of morality and are the only ones responsible for upholding it. In 2014, a famous Indian politician controversially remarked: "Boys will be boys, they sometimes make mistakes, will you hang them for rape?"

Politicians are comfortable making such remarks because it reflects the general view of Indian society. Even today, the famous place of worship for Muslims in Mumbai—Haji Ali—does not allow women to enter. You would expect Mumbai, as a metropolis, to display more inclusive behavior. Such restrictions are not religion-specific; discrimination is practiced under garbs of tradition and upholding diversity all over the country.

Stigma is attached to menstruating girls—they are not allowed to enter kitchens or offer prayers in temples—and a dowry is still commonplace even in the higher echelons of society. We, as a country, are waiting for the big change. We want the government to introduce stricter punishment for violence against women and to solve everything with its magic wand.

Yet we still want girls in our families to remain virgins and make them believe they lose something precious when they have sex. This burden is not bestowed on men, at least not with equal intensity.

## **THE TIMES ARE CHANGING**

We must make changes in our daily lives if we don't want to see women harassed on national TV about their personal choices. How often do we readily judge a sexually active woman while we congratulate a male friend for similar "achievements"?

Sexual freedom cannot be limited to one gender. We must take into consideration the needs of all—both men and women.

India is the land that gave birth to the Kamasutra but now concentrates on hiding natural desires that break through in more violent and regressive ways. It is important for us as a country to open channels of communication and discuss these contentious taboos. Young people are now coming out with their different means of activism—from protests like Kiss of Love in 2014, to organizing gay pride parades and actively participating in online campaigns like #HappyToBleed in 2015 that challenged the ban on menstruating women entering temples.

Some of these campaigns have forced Indian authorities to revisit their regressive attitudes toward sex, such as the Supreme Court's recent decision to rethink its 2013 judgment criminalizing homosexuals.



Slowly and gradually, new attitudes are replacing archaic ones. But we must never pause or take things for granted. Instead, we should play our part in the bigger conversation by standing up for our personal choices and being unapologetic about our choices—just like Sunny Leone.

*\*Tanvi Kusum is an Indian student battling with career choices.*



## China's Expansion Spells Nicaragua's Destruction

*Andrea Curulla*

*March 3, 2016*

*Washington's focus in Asia and the Middle East has given Beijing the opportunity to gain a strategic foothold in Latin America.*

With 42% of people below the poverty line, Nicaragua has the weakest social indicators in Latin America. The country's economic situation is mainly a result of the US embargo following the 1980s Sandinista Revolution. Nicaragua also lacks diversification in its economy and infrastructure, and it has an unskilled workforce.

In July 2013, Nicaraguan President Daniel Ortega made an agreement with Chinese businessman Wang Jing, president of the startup investment firm Hong Kong Nicaragua Canal Development (HKND), to create a transoceanic channel. Competing with the smaller Panama Canal, this Gran Canal initiative includes many sub-projects such as a port on the Pacific and Atlantic coasts, an international airport, free trade areas and an oil pipeline. It would also represent a firm push toward progress, economic growth and social welfare.

### **ENTER CHINA...**

Even though the economic and social boost that Nicaraguans could see from with this transoceanic channel, many related issues appear to be underestimated if not concealed, despite warnings from local experts.

The transoceanic channel will extend to 278 kilometers, and its area of influence will affect many protected areas such as natural reserves, wetlands, archipelagos, islands

and Lake Cocibolca, in particular. Due to its low depth, the lake will be drained to reach a minimal depth of 30 meters throughout the 105 kilometers of the canal route to allow safe passage for containers up to 500-meters-long. The drenching operation will result in over 1 billion tons of waste—the destination of which remains unknown.

To make this project feasible despite the protected areas, Nicaraguan authorities handed the HKND a land concession of 100 years and approved Law 840, a measure that allows the Nicaraguan constitution to be bypassed, as well as other directives protecting both the national ecological resources and the rights of the inhabitants living in those areas. Among those rights codified in the Nicaraguan constitution is an autonomous arrangement granting the inhabitants cultural, economic and property rights, and requiring that any “concessions and contracts of rational exploitation of the natural resources granted by the State in the Autonomous Regions of the Atlantic Coast must have the approval of the corresponding Regional Autonomous Council.”

According to Telemaco Telavera, the Canal Commission spokesman, the commission did not choose “the route that costs less economically but the one with the lowest environmental and social impact ... We have chosen the route with the lowest population density.”

As no serious official reports or risk analysis have been provided by the Nicaraguan state, many experts are warning about the dramatic and irreversible impact this project would have on the ecosystem, as the drenching and maintenance of the channel would endanger the wildlife and fragile biodiversity of the lake. Among those specialists, Franklin Briceño, an ecologist and member of Fundación del Río, argues that unless the project is canceled, “Nicaragua would face an ecocide.”

While the Nicaraguan government and the HKND have assured people that anyone displaced by the project will be fairly compensated, human rights groups and locals have cried foul, and many demonstrations have sprung up around the country protesting the anticipated forced removal in exchange for financial compensation. They claim that not only does the failure to consult violate the terms of the Nicaraguan constitution, but that it also violates their internationally recognized rights. The people marching have been brutally reprimanded, and anti-canal militants are often sent to prison on exaggerated charges.

Despite this local concern, the general population remains indifferent or in favor of the channel as not only will the HKND have to pay \$100 million for the land concession, but also because this project is upheld by the promise of 25,000 new jobs in a country severely hurt by hunger and poverty.

As no actual proof was provided, some observers consider these allegations to be exaggerated and manipulated. Lopez Baltodano points out that the price the HKND paid is ridiculously cheap, as \$100 million represents only two months-worth of remittances for Nicaraguans working abroad. From that point of view, the HKND is actually paying a symbolic price to enjoy a century of rights over the most valuable natural resources of Nicaragua: forests, protected areas and Lake Cocibolca—which, as the main source of water for human consumption in Central America, has a value that is impossible to relate strictly in economic terms.

As for the expected creation of 25,000 jobs for locals, the initial promise was originally four times greater but slowly decreased over time. Even if its number was correct, Briceño argues that most Nicaraguans do not match the basic skill requirements to be hired on the construction project.

Therefore, despite the ecological, social and democratic threat the canal represents, even the proper utility of the channel remains highly doubtful. Indeed, Panama is expanding its own canal that is already functional, and specialists are identifying a new transoceanic natural route in North America due to melting glaciers.

Despite asserting no connections with the Chinese government, Wang Jing appears to be a proxy for Beijing's interests as the HKND is backed by China Railway Construction Corporation, a huge government-owned enterprise that displays a mural of various Chinese military weapons.

## **THE DRAGON IN LATIN AMERICA**

The US focus on other regions such as the Middle East and Asia for most of the last decade has created an opportunity for China to gain a strategic foothold in the Western Hemisphere. Facing local controversy and having been conceived without pertinent economic justifications, the canal construction project has already been postponed to late 2016 (originally scheduled for December 2014) and may even never be completed. In light of those considerations, the Gran Canal may be an alibi for China to

obtain the 100-year lease to control and operate in the area. By doing so, China would steadily increase trade and investment in Central America, in order to obtain access to markets and make new political allies along the way.

More than business and trading opportunities, it would give Beijing influence in the region as a key commercial route and maritime asset. This would require military policing activities in the region surrounding Nicaragua, therefore, creating the ability for the Chinese navy to move warships into the Caribbean and the Atlantic. It is also not beyond the realm of possibility that a Chinese-controlled canal—located in an openly hostile nation like Nicaragua—could be used to facilitate staging for unfriendly naval or military forces.

In 1913, the Panama Canal gave the US influence over the Americas, allowing it to enshrine its control over an international route. This led to Washington expanding its influence through infrastructural development projects in other Latin American countries, but also in Africa. China is taking advantage of such areas that world powers did not let to fully develop.

The Beijing-controlled area in Nicaragua, therefore, represents a challenge not only to the weakened Western primacy, but truly the advent of a new dynamic in the distribution of world power.

*\*Andrea Curulla is a political and social analyst.*



# Maduro's Time is Running Out in Venezuela

*Arysbell Arismendi*

*March 4, 2016*

*Faced with electoral setback and rising popular discontent, the Venezuelan president just announced a number of economic reforms.*

In Venezuela's most recent parliamentary elections on December 6, 2015, Chavismo experienced its first political setback since coming to power 17 years ago. The Venezuelan opposition won 112 of the 169 seats in the National Assembly, the country's legislative branch. According to several analyses, nearly 1.9 million self-identified supporters of the "Bolivarian Revolution" abstained, and the number of opposition voters increased by only 343,000 compared to the presidential election of 2013, when the winner was the current president, Nicolas Maduro.

The results of the parliamentary elections were described as a "punishment vote" due to a lack of effective action by the government to combat the economic and social crisis that has worsened since the second half of 2014, when the price of oil—Venezuela's main and almost its only export—began to plummet. The crisis, according to President Maduro, is the product of an "economic war" orchestrated by private companies and sponsored by countries and international organizations seeking to oust him.

Venezuelan analysts say that the defeat of the ruling party, the Socialist Party of Venezuela (PSUV), was a consequence of this misguided notion of an economic war, the ruling party's rejection of domestic criticism, including from former Chavista ministers, and a lack of leadership and mobilization on the part of Maduro as compared to late President Hugo Chávez.

This illustrates what the Bertelsmann Stiftung's Transformation Index (BTI 2016), which compares governance and policymaking in 129 developing and transition countries, concludes about events of the past years: "What we have come to observe

in Venezuela is the exceptional spectacle of a personalistic regime that has lost its personalistic leadership ... In such a system, the authority of a leader like Chavez is indispensable to solve conflicts and to maintain stability.” Without it, the report says, the current situation of the South American nation seems unsustainable in the long-term.

President Maduro does not have a clear strategy to address the crises. Instead of assuming responsibility for the issue, he is blaming foreign enemies at every opportunity.

## **CONFLICT OF POWERS**

The December 6 results have led to a conflict of powers in Venezuela. After the installation of the National Assembly, the Supreme Court allowed a petition by the government to dismiss three opposition members recently elected to the National Assembly. This decision left the opposition without a qualified majority in parliament (112 deputies), which it needs to designate representatives of other government branches and convene a constituent assembly to draft a new constitution. Currently, two of the five judges on the Supreme Court are linked directly to the national government and the PSUV.

In addition, the government is reluctant to enact any laws promoted by the opposition, and in response, the opposition refuses to approve any requests from the president. In late January 2016, President Maduro issued an “economic emergency decree” that did not receive the necessary approval of parliament but was still declared to be in force by the Supreme Court. The Venezuelan Supreme Court has the power to interpret the constitution and declare whether decisions by the other branches of government are constitutional. As the BTI 2016 highlights, the lack of a separation of powers is a fundamental shortcoming of Venezuelan institutions.

National analysts believe that the conflict of powers in the country will deepen in the coming months if both parties do not reach agreements to solve the economic crisis, which may lead the country to social and humanitarian collapse.

## **ECONOMIC IMBALANCES**

Venezuela's economy depends on oil revenue, and it imports 70% of all its consumer food. The current price of Venezuelan oil is around \$20 a barrel, but the 2016 budget is based on a \$40 benchmark. According to the Central Bank of Venezuela, the country ended 2015 with a general inflation rate of 180.9%, the highest in the world. The International Monetary Fund (IMF) estimates the rate of inflation to be 275%.

The decrease in foreign exchange income needed for the purchase of raw materials has affected food and medicine sectors, which are now experiencing shortages of up to 70%. In early February, the Venezuelan parliament declared a food emergency and humanitarian crisis, and asked the United Nations Food and Agriculture Organization (FAO) to send experts to the country to assess future risks.

The IMF estimates that inflation will spiral to 720% in Venezuela this year, and the economy is expected to contract for the third consecutive year. The situation has brought the possibility of a Venezuelan default into the debate. Yet experts like Mark Weisbrot, co-director of the Center for Economic and Policy Research, believe that President Maduro still has a year to reverse the direction of the national economy.

Weisbrot takes into account estimates by Bank of America Merrill Lynch (BOA), which put Venezuela's assets at \$60 billion, and he proposes four steps to stabilize the economy: create a system that protects those most vulnerable with food and medicine at affordable prices; unify the three official currency exchange rates, which are 25 times stronger than the unofficial one; remove price controls on gasoline—the cheapest in the world—and other goods; and diversify the economy.

Indeed, on February 17, President Maduro announced some free market reforms that point in the right direction. They include devaluing the Bolivar currency and raising the price of gasoline by as much as 6000%. The head of state also revealed changes to the tax system and expanded controls over food distribution.

However, Venezuelan analysts argue that these reforms are still insufficient and come too late. The new fuel prices, for instance, still do not cover production costs, and Venezuelan petrol will remain the cheapest in the world.

## **WHAT HAPPENS IF INTERNATIONAL OIL PRICES GO UP?**



The BOA dismisses economic recovery in the short-term and predicts that imports will continue to decline regardless of any adjustments of the oil price. It also argues that if exchange rate distortions are not corrected, food shortages and political consequences will increase.

The National Assembly speaker, Henry Ramos Allup, and other opposition leaders have announced plans to oust President Maduro within six months. “In the next few days we will have to present a concrete proposal for the departure of the national disgrace that is this government,” said Ramos Allup in early February. It seems that Venezuela is in for more troubled times.

*\*Arysbell Arismendi is a Venezuelan journalist who graduated from the Central University of Venezuela in 2012.*



# What Happened to Yemen?

*Fernando Carvajal*

*March 4, 2016*

*Political infighting and violence have plagued Yemen since the Arab Spring began in December 2010.*

The hopes and aspirations of Yemen's youth have dissipated into a near permanent state of war. Five years on from the electrifying momentum toward change sweeping through the Arab world's poorest nation, an entrenched stalemate has completely derailed the political transition process. The year-long civil war, now sponsored by an Arab coalition, feeds a regional war by proxy and serves as breeding grounds for the Islamic State (IS) and al-Qaeda in the Arabian Peninsula (AQAP). The current situation has truly vaporized any sense of an Arab Spring, and instead has magnified a cycle of revenge among elite political actors.

The United Nations (UN), increasingly critical of the Saudi-led military coalition, has raised alarms over the devastating impact of the ongoing war. While armed clashes continue between Zaydi-Shia Houthi rebels, allied with military forces loyal to deposed President Ali Abdullah Saleh, and resistance militias, allied with military loyalists of President Abdo Rabbo Mansour Hadi, reports indicate that up to 93% of casualties and injuries from aerial bombardments have been civilians. The war has caused a collapse of the country's health system throughout rebel- and resistance-held areas. Aid agencies have also reported that, as of August 2015, nearly 1.5 million people have been displaced by the current civil war. Prior to the conflict, there were 300,000 internally displaced persons. The Arab coalition also enforces an air and sea blockade, which is exacerbating the humanitarian crisis affecting over 80% of the population.

One year into the war, Houthi rebels and forces loyal to Saleh remain unaffected and committed to multiple fronts, some of which include clashes with militants affiliated with AQAP and affiliates of IS. Local media estimate that more than 160,000 airstrikes have taken place since March 2015 in Yemen by the Saudi-led coalition. Targets include military bases in northern Yemen, Houthi positions in multiple provinces, and houses of pro-Houthi leaders or associates, as well as the residence of former President Saleh

and his relatives. Yet forces aligned with President Hadi have been unable to repel Houthis and Saleh's forces from areas other than the coastal province of Aden. Fighting in Ibb, al-Jawf, Mareb and Taiz provinces remains intense and in constant flux. A number of ceasefires negotiated by UN Special Envoy Ismail Ould Cheikh have failed to deliver any relief since mid-2015.

Hope for opportunities to reengage peace talks among Yemeni actors, and the Arab coalition, remain faint as the option for total war appears to sustain the stubbornness on both sides. The recent appointment of General Ali Muhsin al-Ahmar as the new deputy chief of staff implies that Hadi and the Arab coalition are committed to a military victory. But Ali Muhsin's resurrection since September 2014 may backfire and strengthen the Houthi-Saleh alliance rather than weaken their tribal pillars.

War crimes have undoubtedly been committed throughout the war, and reaching a lasting ceasefire long enough to engage peace talks remains a top priority amid growing fragmenting alliances. Reconstruction is simply beyond priorities held by warring parties at present.

## **ELITE BARGAINING**

Debate over the nature of the political conflict that erupted in December 2010 has clearly eliminated the illusion of any populist movement, and provided overwhelming evidence of an intra-regime conflict responsible for today's devastating war. The Arab Spring-inspired protests of 2011 across the Middle East and North Africa were all unique events, yet most observers fail to understand the origins and unique trajectory of Yemen's own political infighting. It remains that an unresolved elite conflict perpetuates instability and is a principle reason for the breakdown of the transition process that was initiated in November 2011.

When Saleh stepped down after 33 years—the first phase of the transition plan—economically marginalized youth were neither empowered nor responsible for the autocrat's downfall. The first indication of such marginalization was the fact that signatories to the Gulf Cooperation Council (GCC) transition agreement only included the ruling party, the General People's Congress (GPC), and the official opposition members of the Joint Meeting Parties (JMP).

In theory, the GCC-sponsored agreement negotiated by then-UN Special Envoy Jamal Benomar simply inked a temporary solution to a political crisis, which erupted in December 2010 when the GPC moved to unilaterally amend the constitution. Protests organized by would-be 2011 Nobel Laureate Tawakkol Karman and independent Member of Parliament (MP) Ahmed Saif Hashid coincided with the Tunisian uprising in December 2010. The situation escalated in Sanaa, the Yemeni capital, when the National Solidarity Council (NSC), led by Hussain Abdullah al-Ahmar, joined protests against Saleh's move to reform the electoral commission and extend his term in office to make way for his oldest son, Ahmed Ali. Karman and Ahmar were seen as proxies for the Sunni Islamist party, al-Islah, which is the senior partner in the JMP.

The crisis leading to the Day of Rage, scheduled for February 3, 2011, was meant as political positioning rather than Saleh's outright overthrow. The Islah party aimed at negotiating the parliamentary elections of April 2011, gaining further concessions from Saleh through a restructuring of economic resources and political posts, even if it meant marginalizing Sheikh Hamid Abdullah al-Ahmar's ambitions to prevent Ahmed Ali's ascent to the presidency in 2013.

Instead, the tsunami spreading from President Hosni Mubarak's overthrow in Egypt emboldened Saleh's principle rival, Sheikh Hamid, an MP for the Islah party. For Sheikh Hamid, there would be no negotiations on Ahmed Ali's grasp on power. His support for the mass gatherings at Change Square undoubtedly represented a continuation of his fiery public criticism of Saleh since 2006. The stage was set for an escalation and the perfect storm gathered against Saleh—youth outside patronage networks, Sunni Islamists, Nasserists, socialists, Baathists, Houthis, GCC monarchies and even a US administration that believed time had come for democracy in the Arab world.

## **FAILED RECONCILIATION AND BACKROOM DEALS**

The second phase of the agreed-upon transition from Saleh's rule involved the electoral ritual to elect Hadi as president. In a one-man election, under the mantra of consensus, Hadi was elected in February 2012. The process was mandated under the GCC agreement, which was meant to contain the crisis and avert a civil war rather than initiate an era of change.

Hadi served as Saleh's vice president from 1994 to 2011, and while of southern origin, people saw him as a continuation of the regime. Another source of contention for independent protesters was the power sharing equation produced by the GCC deal, where half the cabinet posts were given to the GPC, half to the JMP with Islah taking the largest share, and the appointment of Mohammed Salem Basindwa as prime minister. Each faction picked the ministry appointees, while President Hadi was allowed to appoint the minister of defense; Basindwa was chosen as a nonpartisan candidate. No posts were reserved for independents or for representatives of marginalized youth protesting against the regime.

This 35-member cabinet was to oversee the two-year transition period scheduled by the GCC. The first order of business was to restructure the national armed forces and security organizations, meant to gradually remove Saleh's grip on vital national resources, but also targeted influence wielded by General Ali Muhsin, Saleh's former close ally who defected in March 2011 and pledged to protect the "revolution." The ultimate goal was to reform the armed forces in order to expand Hadi's authority as commander in chief. The process not only bred further conflict among the elite, but eventually fragmented the military along patronage networks and further eroded President Hadi's own power, rendering him nearly incapable of mobilizing sufficient resources to address the expanding security vacuum.

## **BREAKDOWN OF DIALOGUE**

The third phase of the transition plan was the launching of a National Dialogue Conference (NDC). Delayed by a year, the NDC was finally established in March 2013. Again, ordinary Yemenis expressed their dissatisfaction with the equation used to select delegates, and later complained of further marginalization within negotiations by President Hadi, Jamal Benomar and the political elite, who bargained away aspirations of independents behind closed doors in order to produce a final agreement. Youth voices, in particular, were merely relegated to the occasional photo-op with the UN envoy and other diplomats.

The dialogue process began to disintegrate soon after Ramadan 2013, when war broke out in Amran province between Houthi rebels and tribes loyal to Sheikh Hamid al-Ahmar, and it quickly spread into Damaj, Sadah. This has been presented as the start of the transition's failure. The war in Amran also led to a boycott by NDC southern delegates aligned with Mohammed Ali Ahmed, who was initially allied with President

Hadi to represent the southern contingent along with Yassin Makawi and then-NDC Secretary-General Ahmed Awad bin Mubarak, who is now the Yemeni ambassador to the United States.

While a number of observers have fixated their analysis on the January 2015 Houthis-led coup, a trajectory of events identifies the Amran conflict as the start of both a historic realignment of the structure of power in northern Yemen, and the chaos that would ensue from August 2014. When the NDC concluded in January 2014, it further exacerbated the conflict as protests erupted from the GPC, Houthis and independents. Although it had been discussed in committees, the newly announced plan to establish a six-region federal state in Yemen intensified tensions among political parties, as it had not been part of the official NDC outcomes, but rather a plan forged behind closed doors and sponsored by President Hadi.

## **THE CAUSE**

Based on this author's conversations with people inside the country, Yemeni analysts see the failure of Hadi's government to contain the lingering elite conflict as being responsible for events that followed the NDC conclusion up until the Houthi takeover of Amran province. Houthi militia managed to capture Amran province from the 310<sup>th</sup> Brigade under General Hamid al-Qushaybi, a staunch ally of General Ali Muhsin and the Islah party. Islah officials were enraged at Hadi's second failure to aid their cohorts—the war in Damaj was the first instance. Ali Muhsin, who also attempted to safeguard his position vis-à-vis Hadi, was attacked publicly by the party for his failure to deploy forces to Amran.

As events were mismanaged and the Hadi government overwhelmed, the government itself may have sealed its own fate and directly paved the way for a Houthi ascendancy.

In July 2014, Prime Minister Basindwa's cabinet agreed to lift fuel subsidies, handing Houthi rebels the opportunity to revive their revolutionary narrative on behalf of the masses. Houthis undoubtedly capitalized on the anger among Yemenis and reclaimed the banner of revolution from 2011. Thousands across the political spectrum answered the call to demonstrate, including GPC loyalists, who organized social media campaigns and neighborhood protests often blocking streets around Sanaa. It was an opportunity to capitalize on renewed popular discontent that neither Houthis nor Saleh

could waste. A new alliance between former enemies was forged in the oddest revolutionary narratives.

## **BLEAK PROSPECTS BEYOND THE STALEMATE**

The stage was set for a final blow on the “model transition” and a downward spin into chaos. Hadi’s position was in peril, as early reports indicated that Houthis and Saleh forged their alliance of convenience outside Yemen with help from regional powers.

Events leading to a Houthi takeover of the Yemeni capital in September 2014 were a product of overconfidence on the part of President Hadi, and Houthi collusion with Saleh’s military and tribal loyalists. Hadi is said to have opened the gates of Sanaa for Houthis in efforts to shift the balance of power away from General Ali Muhsin and the Islah party. But President Hadi, Benomar and bin Mubarak were unaware of the Houthi-Saleh alliance that ensured a military defeat of Ali Muhsin and the political downfall of Islah.

Hadi was forced to accept Houthi interpretation of the Peace and National Partnership Agreement (PNPA) signed on September 22, 2014, including a new power sharing equation abrogating the entire text of the GCC initiative, especially since the president had originally been granted only a two-year term. Houthis were not signatories to the GCC agreement, therefore, the PNAP gave the rebels a seat at the table otherwise not granted by the NDC.

The period between Houthi calls to protest against the lifting of fuel subsidies and the coup d’état of January 2015 undoubtedly took President Hadi by surprise, along with the international community. It is clear the transition was mismanaged, and that regional and international powers underestimated a number of political actors, such as the Islah party, Ali Muhsin, Saleh and Houthis.

This view is indeed Sanaa-centric, and does neglect the role of southern secessionists, but this group remained on the sidelines of the northern power struggle until President Hadi fled house arrest and landed in Aden in February 2015. The relevance of southern actors has surged as Yemen faces a historic possibility of fragmentation. At this time, underestimating political actors, especially Saleh’s survival, left the international community unable to deal with strong challenges to Hadi’s legitimacy,

leaving only the use of force as an option against Houthis and Saleh over the past year.

Today, the situation in Yemen is far beyond a “crossroads.” It is beyond “the brink.” The conflict faces a dangerous impasse as low intensity clashes expand, exacerbating the humanitarian crisis and widening the security vacuum across the country. It is no longer a conflict between traditional elite actors, as southern and northern Salafists have joined the fight against Houthis and Saleh’s loyalists. Al-Qaeda in the Arabian Peninsula no longer holds a monopoly on Yemen as Islamic State-affiliates have established a presence in various provinces. This makes it even more difficult to coordinate peace talks.

Furthermore, President Hadi has been unable to sustain support from various resistance groups fighting Houthis, as tension rises over financial and material resources provided by Saudi Arabia and the United Arab Emirates. The Saudis hope that General Ali Muhsin can serve as a uniting figure among northern tribes in order to overcome current obstacles along the military front.

After one year of airstrikes on the capital Sanaa, Amran, Hajja and Sadah provinces, observers see a deepening quagmire for Saudi Arabia, at times using the Vietnam analogy. It is clear that no actor is in a position to make concessions. There is no confidence among warring parties due to weak, fragmented alliances, and UN efforts are hindered by a lack of resources.

*\*Fernando Carvajal is a PhD candidate in Arab and Islamic Studies at the University of Exeter in the United Kingdom.*





# Is the Snooper's Charter as Bad as You Think?

*Gavin E.L. Hall*

*March 10, 2016*

*Security services lack the resources to randomly spy on people.*

On March 1, UK Home Secretary Theresa May announced that the redrafting of the Investigatory Powers Bill was complete, following a call for the written evidence on the original draft in November 2015.

The purpose of the bill is to clarify what activity the British security services and law enforcement can engage in online, either by restating existing practice or by introducing new powers. The ability to seek a year's worth of Internet browsing history has attracted a good deal of publicity and given rise to public concern.

The issue is pressing as existing legislation was ruled unlawful, following a challenge from Members of Parliament Tom Watson and David Davis, and is set to expire on March 31, 2016.

David Anderson, the independent reviewer of terrorism legislation, recommends that the so-called "Snooper's Charter"—the bill's unofficial name—strikes a balance between freedom and security. Such a positive statement does not appease the critics of the bill who argue, to paraphrase Benjamin Franklin, that liberty is being surrendered in search of temporary security.

Is the public's fear justified as we enter a new Orwellian age, or do the security services have valid reasons for seeking access to data?

## **CYBER REALITY**

The rule of law has developed in the Western world over centuries. The rights of the individual and the demands of the state have been in conflict during this period of legal

evolution, and the present Investigatory Powers Bill can be viewed as part of this history—not just a knee jerk. Placing the bill in this historical context is important, as it enables us to establish that the existing laws of the land have been developed over a prolonged period as a series of compromises, while generally maintaining the balance between individual freedom and state security.

In other words, what invasions of privacy are permissible in the name of security is well-established, in the real world at least.

Should it be permissible to engage in the same activity in the cyber environment as in the real world, or does this new technology warrant different standards of freedom and privacy? For example, if two known terrorists are meeting at a private house, should a bug be planted? If they speak by phone, should it be tapped? Or if they speak via WhatsApp, should it be hacked? Is there a difference between these examples, or are they fundamentally the same?

The state, in the form of security services, does not randomly spy on people—it lacks the resources. The security services spend their time keeping citizens safe, and mass surveillance requires too much time, both in terms of collation as well as analysis, which would result in the inability to adequately perform the primary security function. While it may technically be possible under the bill to impugn individual freedom, John Bull has little to fear.

The mass collection of data enables the security services to keep us safe by utilizing snippets of information from a variety of sources to develop situational awareness and identify possible terrorists, with seven attacks being prevented in the United Kingdom in the last six months.

This is not only in terms of the presence of information, but also the absence of information—identifying negative patterns is equally important to identifying positive ones. For example, if a known terrorist network goes quiet and stops communicating, it can be an indication that they are about to launch an attack.

Three areas are key to analyzing an individual: centrality, between-ness and degree. Centrality refers to how important the individual is; between-ness relates to a person's access to others; and degree is the number of people one interacts with. These core principles of intelligence gathering have not changed with the advent of new

technology. The sole difference of the 2016 world is that an environment outside the real world exists in which information and data can be stored and transmitted.

The Investigatory Powers Bill seeks to ensure that the same powers that exist within the real world are also present in the cyber environment by avoiding potential arguments that certain powers are only legally relevant to the real world.

## **WHITE NOISE**

Of 225 individuals charged with terrorism offenses in the United States between 9/11 and January 2014, only 17 were the result of mass surveillance techniques used by the National Security Agency. Indeed, the issue of white noise—too much information cluttering the relevant information being sought—is considered to be a substantial challenge to security services.

Furthermore, the likelihood of this clause being useful against terrorists is minimal, as most are likely to be using TOR, or similar privacy ensuring tools. TOR—the onion router—is a way of connecting to the Internet that masks your IP address by bouncing the connection across a series of proxies.

While the Internet service provider (ISP) record would reveal a connection to TOR, it would not show which sites had been visited. Seeking to explore what an individual has been doing online—a space where social interaction takes place—is akin to seeking information on an individual's habits in the real world.

As such, asking an ISP to provide data is no more or less of an intrusion into individual privacy than asking the proprietor of a business to share customer information, either general or specific.

Companies have been resisting for commercial reasons. They perceive that their customers will not be happy if they agree to data being made available to the government. In a Reuters poll, 46.3% of respondents agreed with Apple's stance of refusing to unlock the smartphone of an actual terrorist, with 35.5% disagreeing.

The potential for backdoors to be built into software has recently been the subject of sustained dispute between the Federal Bureau of Investigation (FBI) and Apple, and attracts the most public attention. If more specific attention was made toward educating

the public as to why the state was seeking such powers and the benefits of formally codifying—in legal practice—the powers of agencies of state security, the public could be more favorable to the UK bill.

*\*Gavin E.L. Hall is a doctoral researcher at the University of Birmingham, United Kingdom.*



# Money, Not Justice, Matters Most to South Koreans

*Lee Il Woo*

*March 13, 2016*

*With nearly 1.1 million unemployed youth, is the burying of “historical hatchets” a way of distracting locals from domestic economic woes?*

A fervent disciple of the capitalist system, where social admiration revolves around material gain, modern South Korea has become a victim of its own success. In a country where it has become commonplace for every child to aspire to work for prestigious conglomerates like Samsung or Hyundai, the rat race for jobs is what really concerns Korean citizens. Despite all the media attention, historical atrocities and “landmark” arrangements—such as the comfort woman deal with Japan of December 2015—remain secondary concerns.

With poor economic returns expected, both Presidents Park Guen-hye and Lee Myung-bak (Park’s predecessor) have responded to South Korea’s meager performance by calling for the country’s employment culture to undergo “major surgery”—in essence trying to reign in of an insatiable appetite for college credentials.

Statistics, though rarely reliable just by themselves, are noticeable in this regard, as the financial toll for South Koreans who have chosen to pursue higher education has proved to produce more detriments than benefits. Tuition fees and other related costs have accounted for over a 10<sup>th</sup> of national household debt in South Korea. Figures from South Korea’s own Student Aid Foundation have also reported outstanding debts to have reached more than \$10 billion in the first half of 2015, linking it with other concerns afflicting the country’s demographics, such as the rising age of marriage and decreasing birth rates.

Strangely, despite South Korea’s overwhelming preoccupation with employment, the picture shown by certain commentaries these days would have us believe that a historical sentimental boogieman is just waiting to pounce. Some have argued that the

“domestic backlash” from such an abrupt deal with Japan could backfire, as oppositional forces get ready for the coming elections.

While such insights certainly deserve their place in the sun, increased bandwidth to such narratives may wind up creating blind spots for the rest of the world, whereby the real concerns of South Korean locals are glossed over. The deal may give the impression of a “last-minute trade-off between national honor and mediocre financial gains,” but resentments such as these would seem to be only peripheral when compared to the sheer frustration pent up by South Korea’s unemployed. With an estimated 1.1 million youth having difficulty finding jobs, the economy, not social justice, is what truly reoccupies South Korean politics.

Of course, advocates and detractors alike would be quick to point out that such a deal was more about foreign policy progress than domestic political achievement. Alarmists stating that the loss of momentum for this issue, which has been watered down as a “concession” on Park’s part, would appear to refute the notion that historical pressure points actually made a huge dent in foreign affairs. Though undoubtedly a sensitive nerve in the immediate term, South Korean policies in relation to its security (*vis-à-vis* the United States) and overall economy (*vis-à-vis* China), not to mention its frail ties with Japan, all remain nevertheless.

The South Korea-US alliance continues to be the bedrock for security on the Korean Peninsula, while Chinese economic interests—now being South Korea’s top trading partner—continuously force the country to play a careful diplomatic balancing act. Perhaps it would have been more appropriate then had such alarmists described “tensions” with Japan as inertia rather than a backward slippage into the abyss.

Adding to all this is the fact that the North Korean problem remains intact and a possible strike is still a prospect for which no one can rule out. Granted that no headway has been made, or will likely be made with South Korea’s new rapprochement, East Asia’s Kim dilemma will linger on for years, if not generations to come.

The options that remain are a toss between this trio: military action, which will always be a last resort; some form of diplomatic compromise; or strategic patience. The last option pertains to South Korea waiting to see if North Korea will eventually take after

China to subscribe to a socialist model with Chinese characteristics and eventually open up its markets.

## **OF OLD WOUNDS, AND BREAD AND BUTTER ANXIETIES**

In the end, in spite of South Korea and Japan's "milestone achievement" from 2015, observers might do well to take a step back to see if anything of consequence has actually occurred. While genuine transformation may certainly be in the works for Japan-South Korea relations, one must consider if such transformation occurs due to the emotional healing of old wounds, or everyday bread and butter anxieties.

To be clear, the argument here is not that the comfort women deal does not matter, nor is it that a domestic price will not be paid for President Park's actions. The point is rather that the burying of historical hatchets does not inevitably take center-stage when one examines it more deeply. At best, historical scars left by Japan created sparks to set things in motion and, at its worst, are distractions that keep us from noticing what everyday South Koreans truly worry about: domestic economic woes and high youth unemployment rates.

One must recall that despite all the yearnings for a fair deal, it was not until the 1990s that the unforgivable crimes against these women started to gain media traction—leaving one to wonder what exactly caused most South Koreans after independence in 1945 to remain silent till then. Was it a social taboo of some form that kept people away from assisting these women, or could it be just that South Koreans, like most people tragically, tend to be moved by their wallets and pragmatic calculations more so than their hearts?

After all, even after the horrors of Japanese occupation, South Korean officials themselves have been accused of managing prostitution rings of their own, save for this time, to satisfy the needs of US soldiers stationed to protect South Korea.

*\*Lee Il Woo is an associate research fellow at the Institute of Defense and Strategic Studies.*



# Republican Plan for Destroying ISIS

*Richard White*

*March 23, 2016*

*The next president's first priority when it comes to defeating the Islamic State is to avoid making more strategic errors.*

The Republican presidential candidates have been the originators of some provocative sound bites in reference to battling the Islamic State (IS—also referred to as ISIS or ISIL), including talk about “carpet bombing,” “waterboarding,” banning Muslims from entering the United States, and creating agencies for the promotion of Judeo-Christian values. With the possibility that one may be elected president in November, their proposed strategies for continuing President Barack Obama’s Operation Inherent Resolve deserve a closer look. After all, this is the campaign that former Secretary of Defense Leon Panetta described as possibly a “30 year war.”

The race for the Grand Old Party’s (GOP) nomination has dwindled from an impressive starting bench of 17 candidates to just three: Ted Cruz, John Kasich and Donald Trump. With 17 Republican primaries to go over the next three months, here is an in-depth look at the remaining candidates’ strategies for defeating IS.

## **BOMBING ISIS BACK TO THE STONE AGE**

Texas Senator Ted Cruz wants to defeat IS, but is not interested in regime change or stability operations in Syria. His priority would be to target the terrorist organization while attempting to allow the Syrian Civil War to play out. The candidate was once adamant that US ground troops should not be involved in an “internecine civil war” in Syria, but later conceded that he would “put boots on the ground if necessary.” Of course, making it a priority to defeat the strongest and most organized group fighting President Bashar al-Assad’s regime is exactly the opposite of not being involved in the Syrian conflict.

When it comes to how IS would be defeated, Cruz infamously said that he was in favor of carpet bombing, but revealed he either did not know or did not care what the term



actually meant when he elaborated, essentially describing standard precision close air support within the framework of legal airstrikes. On the one hand, Cruz said he would “pound Raqqa”—the de facto IS capital in Syria—into a “parking lot,” and “bomb ISIS back to the stone age.”

But on the other hand, he said: “You use air power directed—and you have embedded special forces to direction the air power. But the object isn’t to level a city. The object is to kill the ISIS terrorists.” This makes it seem like Cruz is more interested in blustery talk than a new form of law-of-armed-conflict-be-damned, hyper-anti-counterinsurgency policy.

Cruz also supports directly arming the Kurdish Peshmerga—a militia in autonomous Kurdish Iraq—whom he claims can “take out ISIS” if supported by American air power. While they have successfully repelled IS from traditionally Kurdish areas in northern Iraq, Peshmerga forces have avoided fighting too far into Arab areas. It was mainly Shia militias, not the Peshmerga, who liberated the northern Arab city of Tikrit. Cruz seems to think that the Peshmerga would easily roll through both IS-controlled Iraq and Syria, despite the numerous armed and experienced actors in Syria who would make this—at the very least—difficult.

What is clear is that Cruz’s plan to defeat the Islamic State is full of contradictions. Ironically, for someone saying President Obama is not doing enough, Cruz’s plan as he has explained it thus far is only different from the Obama administration’s in that it is less involved and less thought out. From his double talk on US ground forces and the air campaign, to his unrealistic expectations from one militia in the midst of dozens, it is unlikely that Senator Cruz could defeat IS using the meager plan he has described. On his campaign website, his IS strategy is tellingly limited to “calling the enemy by its name—radical Islamic terrorism—and securing the border. Border security is national security.”

## **ONE UP ON DEGRADE AND DESTROY**

Ohio Governor John Kasich’s plan for defeating the Islamic State is much more hawkish than Obama’s, adding the intent to “wipe out” to the president’s stated “degrade and destroy” goal, though it is unclear exactly how wiping out is different than destroying. Inspired to action by the Paris attacks of November 2015, Kasich favors an

American-led coalition of European and Middle Eastern allies sooner rather than later, but does not support using US forces against Assad.

In addition to an urgent coalition including American ground troops, Kasich, like Obama, is in favor of arming moderate rebels in Syria. He supports arming both Syrian and Iraqi Kurdish militias, unlike Cruz. And unlike Obama and Cruz—but like Hillary Clinton—he supports the creation of no-fly zones in Syria.

Kasich's plan is firmly in the interventionist camp, but he also knows that military action alone will not defeat IS. While he once called for the creation of an agency to promote "Judeo-Christian values," he later walked back this statement, instead suggesting to "breathe life" into Voice of America, a US government-funded news organization that broadcasts around the world.

However, his vision of a broad military coalition operating in Syria and enforcing no-fly zones while not taking action to depose Assad is nonsensical. Enforcing a no-fly zone in Syria means shooting down Syrian and Russian aircraft should they encroach on this hypothetical airspace. In that event, it would be very unlikely that American ground forces could avoid combat with the Syrian army, and enforcing a no-fly zone against Russian aircraft might lead to a war much bigger than the one against IS.

Additionally, supporting Kurdish militias and moderate Sunni Arab rebels against Assad will one day lead to either confrontation between these actors, or de facto federalization, or even the breakup of Syria. This is not strictly a problem that applies only to Kasich, because the current administration is also betting on multiple horses in this race. But it is meaningless to attempt a strategic distinction between fighting Assad directly and fighting Assad via proxy, especially if American ground troops are readily available in the area of responsibility as targets.

Ultimately, Kasich's plan might defeat IS, but it would likely trap the US in an expanded war against multiple actors in the region, including the Syrian government, Russia, Hezbollah and other Iranian-backed militias, Jabhat al-Nusra and so on—something the Obama administration has been attempting to avoid for the last four years. Ironically, while attempting to avoid the regime change blunders of the last decade, Kasich's war against IS could make President George W. Bush's war in Iraq look well-planned.

## TORTURE AND OIL

If any candidate has said more senseless things about the Middle East than former candidate Ben Carson, it is Donald Trump. Before he was an official candidate, he hinted at knowing a “foolproof” plan to defeat IS, but either he still has not told us, or his definition of foolproof is very loose. Interestingly, in that same interview with Fox News, Trump suggested talks with IS, perhaps the only candidate to do so, but a peaceful resolution has not been brought up since.

Instead, he has said he wants to expand legal authority to torture, ban Muslims from entering the US, enter into a de facto alliance with Assad and Russia as they continue fighting IS in Syria while the US fights the group in Iraq, and use airstrikes and ground forces to seize IS-controlled oil fields and take the oil for the US, using perhaps 30,000 American troops.

Essentially, Trump’s plan is three-pronged: bomb IS, send in ground forces and take its oil fields. He has justified his reluctance to depose Assad by saying the US must avoid fighting two wars at once because it cannot win. While the last decade and a half in the greater Middle East might support his theory, it is important also to understand that wars are not what you want them to be, they are what they are.

Carl von Clausewitz, the revered Prussian military strategist often considered to be the West’s Sun Tzu, wrote deftly: “The first, the grandest, and the most decisive act of judgement which the statesman and general exercises is rightly to understand in this respect the war in which he engages, not to take it for something, or wish to make it something, which by the nature of its relations it is impossible for it to be.”

Put another way, simply because he might choose not to fight Assad does not mean Assad will not fight the US directly or via proxy, especially when his oil fields are occupied by American troops and Exxon.

It is also necessary to stress that there is no research which suggests that Trump’s plan to expand the legal authority to torture IS fighters and his suggestion that their families might also be legal targets would hasten an IS defeat. On the contrary, torture is counterproductive. It encourages false confessions and bad intelligence, promotes battlefield reciprocity, and obviously damages American standing in the world. As such, it is possible that IS emerged partly in response to US torture. Indeed,

IS prisoners wear orange jumpsuits to mimic Guantanamo Bay prisoners, and the treatment of prisoners by Americans is frequently mentioned in IS propaganda videos.

As the French learned in the Algerian War, torture is not only counterproductive—it also “corrupts the torturer as much as it breaks the victim.” A quote from a French paratrooper in Alistair Horne’s *A Savage War of Peace: Algeria 1954-1962* shows the suffering of the torturer himself: “All day, through the floor-boards, we heard their hoarse cries, like those of animals being slowly put to death. Sometimes I think I can still hear them ... All these men disappeared ... I felt myself becoming contaminated. What was more serious, I felt that the horror of all these crimes, our everyday battle, was losing force daily in my mind.”

US interrogation contractor Eric Flair echoed similar sentiments about his time torturing Iraqis in 2004 and 2005: “As an interrogator, torture forced me to set aside my humanity when I went to work. It’s something I’ve never been able to fully pick back up again.”

For someone who supposedly has made veterans’ issues a priority, Trump might consider more deeply the lasting effects of conducting a war in this way on those who serve.

## **AGREE ON ONE THING**

The three candidates’ plans for defeating Islamic State may differ tactically, but they all want to put American troops on the ground in Syria to fight IS while avoiding involvement in the Syrian Civil War. This is the type of half-planning that needlessly endangers Americans troops and exposes the US to blowback.

The power vacuum in Iraq and Syria that facilitated the rise of IS has been attributed by many Republicans to President Obama’s miscalculating the consequences of the Iraq withdrawal and inaction in Syria. But to advocate putting American troops in Syria to fight IS while keeping them neutral against Assad’s regime is not just bad strategy—it is wishful thinking.

Many mistakes were made that led to the Islamic State’s rise, and the consequences of those mistakes have been felt by millions of people from Syria and Iraq to France and Belgium. The next president’s first priority when it comes to defeating the Islamic

State is to avoid making more strategic errors—the most important being understanding more than superficially the war Americans will be fighting, perhaps for decades.

*\*Richard White is a security specialist, freelance writer and author of Insurgentsia, a blog on political violence, terrorism and small wars.*



# In a Region of Division, Nowruz Brings Unity

*Kourosh Ziabari*

*March 25, 2016*

*The Persian New Year, celebrated by diverse ethnic groups around the world, is a time to reflect and reconcile.*

The Middle East sits on a keg of gunpowder. Sectarian tensions, armed conflicts, violent extremism and foreign intervention continue to undermine the security of a region long coveted for its energy resources and geopolitical importance.

Looking at the larger picture of regional developments, one can conclude that the Middle East is in dire need of peace and reconciliation before the worrying crises send it spiraling out of control. Even though the situation is so tense, the rest of the world cannot claim that it is impervious to the challenges and woes of the turbulent neighborhood.

In a region marred by division and conflict, there is a unifying festival that has the potential to bind nations closer together and purge their hostility and bitterness: Nowruz.

## **WHAT IS NOWRUZ?**

Literally meaning “new day,” Nowruz is the ancient Persian New Year festival celebrated by over 300 million people around the world, including the Middle East, Central and South Asia, and parts of eastern Europe. People in Iran and countries as diverse as Afghanistan, Albania, Azerbaijan, India, Iraq, Kazakhstan, Pakistan, Syria, Tajikistan, Turkey, Turkmenistan and Uzbekistan observe Nowruz, which hails from Greater Iran and is associated with Zoroastrianism, a Persian religion founded in the 6<sup>th</sup> century BCE.

The worldwide celebrations of Nowruz started on March 20 and last two weeks until the 13<sup>th</sup> of Farvardin, the first month of the Solar Hijri calendar—coinciding with April 1—in accordance with an ancient tradition.

The significance of Nowruz lies in its concurrence with the arrival of spring. The Persian New Year begins at the moment when the sun crosses the celestial equator, marking the Vernal Equinox and the start of spring in the Northern Hemisphere. So, every year, the Persian New Year kicks off somewhere between March 19 and 21, which Iranians colloquially refer to as *astahvil-e-saal*, or the transition of the year.

## **THE CELEBRATIONS**

To Iranians living at home and abroad, Nowruz is a crucial time for reflection, reunion, family gatherings, philanthropy, social engagement and celebration. In a society such as Iran's, where people spar over political issues on a daily basis and ardently debate the nuclear deal with the P5+1, not to mention the racial and ethnic differences that render the country an *amélange* of cultures, Nowruz acts as an umbrella that pulls together the entire population harmoniously.

Millions of cordial messages of felicitation are exchanged over cellphones on the eve of the New Year; people visit their parents and grandparents and receive gifts; families pray at the tombs of their loved ones and eulogize them; charities throw lunch parties for orphans and disabled children; and many prisoners jailed on non-violent charges are granted clemency. Persians, Iranian Arabs, Kurds, Azeris, Turkmen and Baluchis—both Muslim and non-Muslim—observe Nowruz with almost the same rites and practices.

The same holds true for the rest of the Middle East as well as Central and South Asia, where other nations celebrate Nowruz. Kurds in Iraq, Syria and Turkey; the people of Azerbaijan; the Persian-speaking population of Afghanistan and Tajikistan; the Zoroastrians of India; the Shia communities in Pakistan; and millions of people elsewhere in the world commemorate Nowruz and consign their differences to oblivion.

Nowruz has undergone many challenges, especially in modern-day Iran, as conservatives go to great lengths to wipe it out, claiming it is a secular holiday running counter to the principles of Islam. However, they have failed to abate the public affection with Nowruz, which is too deeply-rooted in Iranian culture to be exterminated

or undermined even after some 3,000 years. Moreover, there have been spiritual components in Nowruz that attest to its moral distinction, making it invulnerable to the malevolence of those who crave to denigrate it as an irreligious, unethical festival.

During Nowruz, people usually recite prayers at the moment of Vernal Equinox, bestowing well wishes on family and friends. Many of them go to places of worship and other holy sites during the first days of spring, and it is customary to visit the elderly and patriarchs—a practice highly recommended in Islamic tradition.

In 2009, Nowruz was inscribed on UNESCO's Representative List of the Intangible Cultural Heritage of Humanity, and it was recognized as an international holiday by the United Nations General Assembly in the following year.

This longstanding fiesta serves as a reminder that springtime is the best opportunity for getting rid of acrimonies and reflecting upon how to build bridges.

## **IRAN-US RELATIONS**

On March 19, US President Barack Obama, in line with a convention he has set since 2009, broadcast a videotaped message on Persian New Year, extending his greetings to Iranians across the world, including Iranian-Americans observing Nowruz and the “patriotic Iranian-Americans” serving at the White House. Obama took the opportunity to touch upon his commitment to improving Iran-US relations and the benefits that Iranians will reap from the nuclear agreement.

Obama said the nuclear deal would mean “more opportunities for Iranians to sell their exports including textiles and agricultural goods to the world,” while Americans eager to buy beautiful Persian carpets, caviar, pistachio and saffron will have the chance to find these precious items.

He emphasized that there remain disputes between the Islamic Republic and the United States. However, he added that “even as our two governments continue to have serious disagreements, the fact that we are now talking to each other on a regular basis for the first time in decades gives us an opportunity — a window — to resolve other issues.”



The US president continued to state: “As we do, I firmly believe that we can continue to expand the connections between the American and Iranian people,” adding that his historic visit to Cuba 88 years after a US president set foot in Havana “would be a reminder that even after decades of mistrust, it is possible for old adversaries to start down a new path.”

Nowruz is an occasion when everyone thinks of making friends and renewing old ties, eliminating the enmities and promoting peace. This is not only the case in interpersonal relations, but also in the interaction between governments that have long been at odds, including Iran and the US.

Since assuming office, President Obama has annually built on the opening of Nowruz to reach out to the Iranian people and the government, and in 2009, he was the first US president to directly appeal to the “Islamic Republic of Iran”—as opposed to “Iran”—in his Nowruz message, signaling to observers that he was not planning for regime change in the country. There was no sign of hostile rhetoric or threats in Obama’s greeting message. He simply raised his aspirations for better relations between the Iranian and American people.

Similarly, Persians, Arabs, Azeris, Turks, Kurds, Sunnis and Shias in the Middle East and Central and South Asia can capitalize on the advent of Nowruz to heal their relations and throw any animosity into the dustbin of history. There are so many commonalities and shared values in Nowruz traditions of all these different ethnic groups, and it is conceivable that they can achieve a universal, common understanding of how to rescue the region from violence and conflict and eventually come to terms with each other.

*\*Kourosh Ziabari is an award-winning Iranian journalist, author and media correspondent.*

