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The Russian Constitutional Court:
A Third Branch of the Russian Federal Government

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The 1990s brought with them a frantic pace of political, social, and economic change in the Soviet Union and Russia. In addition to the outward revolution of mass demonstrations, civil wars, and the coup attempt against Gorbachev, the Soviet Union was also experiencing an internal revolution. In particular, *perestroika* was gradually incorporating into law such Western concepts as rule of law, separation of powers, checks and balances, and limited government. And these efforts were largely paralleled on the republic level, particularly in Russia.

Spring of 1991 brought one of the most interesting and perhaps most important developments in Russia: the passage and signing into law of the "Law on RSFSR Constitutional Court," creating the first Russian court with the power of judicial review. In late October, the Russian Congress of People's Deputies selected and swore in thirteen judges, and the Constitutional Court began operating before the end of the same year.

In its first two years, the Court has experienced a variety of successes and failures, from initial victories to a temporary suspension in October following the attempted Parliamentary coup. After two years the questions loom ever larger and more urgently. How powerful and effective is the Constitutional Court? To what extent has it really influenced Russian government in the past and what are its prospects for the future?

Soviet Roots of the Judiciary

Prior to Gorbachev's reforms of the judicial system, the phrase "Soviet justice" was an oxymoron—at least by any Western standard. In the Soviet Union, the USSR Supreme Court was the highest judicial body. Elected by the USSR Supreme Soviet for five-year terms, members of the USSR Supreme Court were officially independent of the other branches of government.[1] However, the 1977 *Constitution of the USSR* made the Supreme Court directly accountable to the Supreme Soviet (ch. 20, art. 152). This same pattern was followed on all levels of government (ch. 20, art. 152), and it did not favor the exercise of justice.

The results are quite dramatic. Even after Stalin's show trials, the system did not significantly improve—although it may have become less injurious to the defendants. One study even shows that the rate of acquittals in Soviet courts steadily decreased from the late 1940s to the 1980s, until by the mid-1980s "acquittals had practically disappeared" (Solomon 1987, 531-38). Yet, the judges did try to ease the effects of the judicial system, by giving light sentences, overturning appeals on technicalities, or remanding cases for retrial after which the cases were quietly dropped for lack of evidence (Solomon 1987, 539-41). Hence, the system sometimes could judge people "guilty" but not punish them. Such incidents of mercy are noteworthy, but such lenience was severely limited by the Party.

Perestroika and the Judiciary

The Gorbachev era marked a radical change in the Soviet—and Russian—legal and political system. At his urging, the USSR Supreme Soviet created the USSR Congress of People's Deputies in December 1988, which was actually elected in pseudodemocratic elections. In the same month, the Supreme Soviet also began an

extensive reform of the judicial system. Constitutional amendments extended the terms of office of all judges to five years, ended the popular election of judges on the local level, and transferred power of election to the Soviets on the level immediately superior to the courts. During the next year, the Congress of People's Deputies enacted strict penalties for violating the independence of the courts. Many of the Soviet republics quickly followed suit by enacting similar legislation (Butler 1992, 112-13).

In March 1990, the Supreme Soviet created the office of the President of the Soviet Union and elected Gorbachev President. He subsequently created the Committee on Constitutional Supervision—the Soviet forerunner of the Russian Constitutional Court—"to ensure that Soviet laws complied with the country's constitution" (Benn 1992, 178-79).[2] Thus, by the end of 1991, the Soviet Union had the beginnings of separate branches of government, a primordial system of checks and balances, and a judicial body to enforce them.

Creation of the Russian Constitutional Court

In May 1991, the Russian parliament took a radical step, passing the "Law on RSFSR Constitutional Court." On May 6, the Russian Supreme Soviet passed the original statute. After adding approximately two hundred amendments, the Russian Congress of People's Deputies passed the statute. On July 12, President Yeltsin signed it into law (Sharlet 1993, 2).

On October 27, after a series of political turf battles, the Russian Congress of People's Deputies (CPD) chose ten members of the thirteen-member Russian Constitutional Court.[3] On the following day, the CPD selected three additional

justices, swore in all thirteen, and tabled selection of the remaining two justices until the next session of Congress (Zamyatina 1991, 50). Five days later, the new Court met and selected Valerii Zorkin as Chairman of the Constitutional Court (Klimov and Artemev 1991, 60).

A Comparison of Courts

Comparing the Russian Constitutional Court to the U.S. Supreme Court reveals some of the strengths and weaknesses of the Russian Constitutional Court. Beyond the basic responsibility of judicial review, their politicians and responsibilities in the judiciary structure and jurisdictions differ widely.

Unlike the U.S. Supreme Court, the Constitutional Court is not the ultimate wielder of judicial power. The Russian Supreme Court and the Russian Supreme Court of Arbitration—carry-overs from the Soviet era (Butler 1992, 112)—each exercise final judgement in their own jurisdictions. Theoretically, the Constitutional Court considered constitutional questions, the Supreme Court decides civil and criminal cases, and the Supreme Court of Arbitration resolves economic disputes. Obviously, these jurisdictions overlap and create a "problem of competition" among the supreme courts, as noted by Deputy Chairman Vitruk in the Izvestiya Case (cited in Feofanov 1993, 26).

Additionally, while in the United States all federal and some state courts can exercise judicial review, in Russia the Constitutional Court is the sole judge of constitutionality (Sharlet 1993, 3). These constitutional responsibilities specifically include examining all treaties, laws, and executive orders. The Constitutional Court also decides disputes between the executive and legislative branches and between members of the Russian Federation.

Notably, the Constitutional Court does not normally adjudicate disputes between citizens or between the citizen and the government, as the U.S. Supreme Court does. Instead, it confines itself to interpreting the constitution (Zherebenkov 1991, 68). While the U.S. Supreme Court can sidestep constitutional issues—and often does—by simply deciding on the specific merits of the case in question; the Constitutional Court must directly confront constitutional questions, because they are the only questions which the court can legally decide.

In addition, while the U.S. Supreme Court has almost complete control over its docket, the Constitutional Court exercises little control over which cases it considers. The difference lies in the different types of jurisdictions. Currently, the U.S. Supreme Court receives few cases of original jurisdiction; hence, most cases arrive via petitions for *certiorari*, which the Court may accept or dismiss at its own discretion (O'Brien 1991, 96). Conversely, most cases reach the Constitutional Court by appeal on original jurisdiction, so the Court must hear them (Sharlet 1993, 3). With such an open door to disputes, the Constitutional Court consistently finds itself embroiled in fierce power struggles between the branches of government or simply overwhelmed by the sheer number of cases.[4]

However, the Constitutional Court does have on defense to hide behind: the law specifically forbids the Constitutional Court to consider "political questions" (Wishnevsky 1993, 3). (Judicial precedent imposes a similar restraint upon the U.S. Supreme Court.) Of course, the line between political and constitutional questions is blurry at best, and since the Constitutional Court determines what is a political question, it could conceivably use this loophole to control its docket. The Court could declare undesirable case political

questions and conversely ignore the political nature of cases which the Court wanted to hear—a time-honored practice of the U.S. Supreme Court.

Until ratification of the new constitution on December 12, 1993, the Constitutional Court continually wrestled with the inadequate Constitution of the Brezhnev era. Written and ratified under Soviet communism, it bore little relation to the political environment in which the Constitutional Court was working. Even Chairman Zorkin, the strongest and most vocal supporter of compliance with the Brezhnev constitution, acknowledged the paradox in having "to comply with an obsolete Constitution" Muratov 1992, 45).

Finally, the Russian public attitude toward the law and the courts radically differs from the American legal tradition, even from the earliest days of the United States. The U.S. Supreme Court started in 1789 with the advantage of a public which generally upheld and respected the law and court decisions. The Russian Constitutional Court has no such advantage, and like any other court, it depends on the executive and legislative branches to enforce its decisions until it gains a reputation and a prestige that the other branches dare not defy.

If the first few decades of the U.S. Supreme Court teach any lesson, it is that supreme courts walk an extremely shaky tightrope during the first years. The first decade saw a rapid changeover in personnel, including three different Chief Justices.[5] During the second decade, President Jefferson and Congress blatantly tried to destroy the Supreme Court. With some adroit legal maneuvering, Congress completely canceled the Supreme Court's 1802 session. Then, in early 1802, the U.S. House of Representatives impeached a federal district judge and Supreme Court Justice Samuel Chase.[6] In this volatile environment, only Chief Justice Marshall's

politically astute decision of *Marbury v. Madison* succeeded in saving the Supreme Court. The Russian Constitutional Court has not had the similar luxury of two decades to gather its strength.

The Initial Decisions

Yet, with all the problems the Constitutional Court faces, its creation could not have been timed better. Two months after the Court was created, President Gorbachev resigned and the USSR Supreme Soviet voted itself and the USSR out of existence. The Russian Constitutional Court wasted no time in stepping into the resulting power vacuum. On December 26, 1991—the same day the USSR Supreme Soviet dissolved itself—the Court "unanimously adopted a sensational statement," declaring that it would "stand in the way of dictatorship and tyranny, whatever their source" (Orlov 1991, 43). The same day, Chairman Zorkin announced in a press conference that the Court would soon examine the constitutionality of a Presidential decree merging the two ministries, as well as several legislative acts of the Supreme Soviet (INTERFAX 1991b, 39).

After several quick hearings, on January 15 the Court announced a unanimous ruling against Yeltsin's decree merging the RSFSR Ministry of Security and the Ministry of Internal Affairs. The Court declared that the merger violated the constitutional "separation of powers . . . which gave only the legislature the power to create ministries" (Sharlet 1993, 6). This decisive ruling won instant praise from the Russian media, which jubilantly declared that "law and Russia are not two incompatible things" (Reshetnikov 1992, 38). Yeltsin accused the Court of playing politics instead of interpreting the constitution, but he did grudgingly comply

with the Court's decision (Shakhray 1992, 39). Having successfully stared down the powerful Russian President, the Court had clearly established itself as a real political and legal force.

However, the next major case turned into a disaster for the Constitutional Court. In early 1992, the leaders of the Tartar Autonomous Republic announced a public referendum on whether Tartarstan should be a separate state within the Russian Federation. The Court quickly heard the case and on March 13 declared various sections of the referendum unconstitutional as an attempt to secede from the Federation.[7] But three days later, during a special session, the Tartar parliament defiantly chose not to alter the referendum but simply to declare that it was not a referendum on secession. Two days later, Zorkin addressed the Russian parliament—as per his Constitutional prerogative—asking them to enforce the Court's ruling. The parliament concurred and called upon President Yeltsin to enforce the Court order. However, Yeltsin ignored the parliamentary resolution and did nothing except offer his verbal support. Consequently, the Tartar referendum proceeded as planned and the Court was publicly embarrassed (Wishnevsky 1993, 3; Sharlet 1993, 7-8).

Before the Tartar Case, the Court had established itself as a legitimate court, but by even hearing the Tartar Case the Court pointlessly sacrificed much of its newly acquired prestige. First, nationalism is the most volatile issue in the Russian Federation. The Constitutional court simply does not have the power to enforce any decision on the issue without the full support of the legislative and executive branches, which it never received. Second, the Constitutional Court acted much too hastily. Tartarstan had not even held the referendum before the Court ruled against it. The Court should have at least waited until after the

vote to consider the matter; a "no" vote would have rendered the whole case mute. Finally, the referendum was legally nonbinding and an extremely politicized issue. The Court could have—and should have—simply declared it a "political question" and therefore nonjusticiable. Instead, the activist Court fought a hopeless and useless battle which eventually damaged its credibility.

The CPSU Case

The Court repeated the same mistakes with an appeal by the Communist Party of the Soviet Union (CPSU) and the RSFSR Communist Party. Sharlet observes:

If the Russian Constitutional Court had followed its legislative mandate, it would have invoked the "political question" rule and avoided the CPSU case. (1993, 17)

Conversely, if the Court had succeeded in successfully resolving the question, the Court's prestige and power would have taken a quantum leap forward.

Following the attempted August 1991 coup, Yeltsin had outlawed both parties by executive decree. The parties appealed to the Constitutional Court, and the Court accepted the case in December 1991, but deliberately delayed hearing the case until it had established some sense of legitimacy—a wise move, as far as it went. However, during the interim, the Sixth Congress of People's Deputies amended the 1978 RSFSR Constitution more than two hundred times, and one of these amendments specifically extended the jurisdiction of the Constitutional Court to "political parties and public associations" (Sharlet 1993, 19-20).

When the CPSU hearing finally opened on May 26, 1992, the trial quickly became a disappointment to the media and spectators. They had expected a sensational confrontation, but instead found a seemingly endless and complex legal proceeding.

Adding to the inherent complexity was the complete absence of a system of Court regulations. Hence, the trial proceeded on a completely *ad hoc* basis. The Court probably intentionally intensified the complexity and monotony in order to defuse the highly explosive situation. The rationale was that if people became bored enough, they would not even care about the final ruling and the Court would escape relatively unscathed (Sharlet 1993, 17).

Yet, as the trial proceeded, it gradually became evident from the questions and procedural votes that the justices did not agree with each other and that the final decision was unpredictable, which introduced a new type of excitement and interest. All this time, the Court—especially Zorkin—tried to portray this trial as a completely judicial proceeding with no hint of "political expediency." They were only partially successful. While some of the press spoke favorably of the Court, others referred to the trial as "a political farce" and a "political show trial" (Sharlet 1993, 23).

The Court still might have escaped relatively uninjured if it had not tried to force Gorbachev to testify. When the trial began in May, the Court subpoenaed him to testify. He flatly refused, citing executive immunity. In July, Gorbachev announced that he and Chairman Zorkin had agreed that he would not need to testify. Yet, shortly afterwards, the rest of the Constitutional Court overruled Zorkin and tried to force Gorbachev to testify (thereby violating the constitution).[8] Gorbachev still refused to appear in Court. The Court then fined Gorbachev one hundred rubles for contempt of court—the maximum penalty allowed by law. The Ministry of Security and the Ministry of Foreign Affairs followed by revoking Gorbachev's passport, thus preventing him from leaving Russia. If he did try to leave, the border police were

ordered to arrest him. These illegalities inflamed public outrage against the Court, which eventually relented and stopped harassing Gorbachev (Wishnevsky 1993, 5).

The political maneuvering did not end with harassing Gorbachev. During the court proceedings, "Yeltsin bestowed on the justices a substantial pay raise" (Sharlet 1993, 28). Then, on October 28, Yeltsin upped the stakes by issuing a decree banning the National Salvation Front (NSF), a political organization of extreme nationalists, monarchists, and communists. The Court responded by placing the NSF appeal next on its docket.

Finally, on November 30, the Court issued an 11-2 decision finding that Yeltsin's decree banning the central party organizations of the CPSU was constitutional. However, the decrees confiscating property and outlawing local party organizations were found unconstitutional.

The ruling represented a partial victory to both sides—an obvious attempt to placate both Yeltsin and the CPSU. The dissenting justices— Luchin and Ebzdeev— severely criticized the decision as politically expedient rather than legally sound, which is probably an accurate evaluation (Katanyan 1992, 11-12). The spit vote and dissenting opinions represent a serious deepening of the rifts within the Court.

The 1993 Decision and Power Politics

On January 15, the Court began hearings on the NSF case, but initially two justices— Ametistov and Kononov— boycotted the hearings. In spite of the initial delays and divisions among the justices, the Court quickly decided the case finding Yeltsin's decree unconstitutional. However, by this time—mid-February—the power-sharing agreement was collapsing, and the escalating conflict between Yeltsin

and the parliament eclipsed the importance of the Court's ruling.

The crisis peaked on March 20, when Yeltsin announced "special rule" by the president. True to form, Zorkin quickly denounced the action as unconstitutional, and a few days later the Court reviewed Yeltsin's speech and declared his decree unconstitutional by a 9-3 vote. Yeltsin consequently backed down and issued a sterilized executive order which did not contain any of the unconstitutional provisions (Kasyanenko 1993, 33-34; Sharlet 1993, 32).[9]

Although the March crisis marked a temporary victory for the Constitutional Court, it left the Court ultimately weaker. Now the Court could no longer claim neutrality in the conflict between Yeltsin and the parliament. Instead of thinking clearly, Zorkin had led the Court unarmed into a dangerous political no-man's land. In addition, his denouncement of Yeltsin's decree prior to the Court's decision was a gross violation of his sworn neutrality as a judge. Also, the Court made the mistake of issuing a preemptive decision, which made them look extremely foolish once Yeltsin issued his sterilized decree. If the Court had waited until Yeltsin actually issued the order, they could have avoided embarrassment and might not have had to consider the issue.

However, once drawn into the fray, the Court faced increasing political pressure during the summer. The Court and its members had been bothered by threats and security breaches since their first ruling in 1992 (Muratov 1992, 44-45). After the March incident, Yeltsin did his best to exploit the Court's dependence on the executive branch. In June, Chairman Zorkin was deprived of his official car, his portable phone, and his state dacha. Next, Yeltsin directed the Main Security Directorate to stop guarding the Court's

building, the judges, and their families—leaving them completely unprotected in what had become a dangerous city. Finally, the state information agency ITAR-TASS simply refused to distribute official Constitutional Court documents (Kravtsov 1993, 29-30).

Then, on September 22, President Yeltsin unconstitutionally dissolved the Congress of People's Deputies and the Supreme Soviet. Ironically, in the same speech Yeltsin admitted that his actions were unconstitutional but justified them with political necessity (Yeltsin 1993b, 8-9). Predictably, Zorkin immediately and unequivocally denounced Yeltsin's action and then led a deeply divided Court in overturning Yeltsin's decrees. However, within a week Zorkin had "backtracked on his previous uncompromising criticism of Yeltsin's actions" and was seeking some sort of compromise arrangement (Slater 1993a-1993b).

Zorkin's efforts to broker a second agreement failed, and government forces were eventually forced to crush the parliamentary uprising. Shortly after regaining control, Yeltsin publicly blamed the Constitutional Court for inciting the violence (Yeltsin 1993a, 37-38). He subsequently suspended the Constitutional Court until after the December elections and forced Chairman Zorkin to resign (Teague 1993; Tolz and Wishnevsky 1993).

Chairman Zorkin

The rise and fall of Chairman Zorkin itself sheds some light on the Court. Following the CPSU decision, Zorkin became deeply involved in mediating the growing dispute between Yeltsin and parliament. Even then—December 1992—rumors of disbanding parliament were circulating. Yet somehow, during the December session of the Congress of

People's Deputies, Zorkin successfully brokered a power-sharing agreement between Yeltsin and parliament (Wishnevsky 1993, 7-8). This incredible success instantly made him extremely popular with the general public. Some of the press even referred to him as the "Man of the Year," and a public opinion poll in early 1993 named him as the fifth most powerful politician (Sharlet 1993, 31).

Yet, at the same time his actions were dividing the members of the Constitutional Court. As time progressed, Zorkin became even more involved in politics. Deputy Chairman Vitruk critically observed, "It has become almost the norm for Constitutional Court Chairman V. Zorkin to appear in the mass media and to make political statements and assessments at meetings of various kinds" (Feofanov 1993, 26). For 1992 and the first half of 1993, FBIS reports alone include over forty statements by Zorkin to the press, and few of them directly relate to his responsibilities as Chairman of the Constitutional Court.[10] Particularly annoying was Zorkin's habit of preempting the Court—stating his opinion on a case before the Court even heard it. About Zorkin's unprofessionalism, Deputy Chairman Vitruk appropriately advised, "If you want to be a politician, take off your judge's gown" (Feofanov 1993, 27).

Conclusion

Considering the political and social environment in which the Constitutional Court was born, the Court has not done poorly in its first two years. The Court has definitely increased its own prestige and power and also that of the entire judicial system. Its huge caseload[11] shows this. However, this increased power has also increased the stakes in the political games it plays.

The first decision firmly established the legitimacy and power of the Court, but some of the subsequent decisions seriously injured the Court. The biggest failing of the Court to date has been its excessive activism. In such an unstable constitutional environment as the Russian Federation, judicial activism will eventually backfire. And when it does backfire, the very existence of the Court is in danger—as the events of October 1993 vividly illustrate. The Court should never have considered the Tartarstan case and probably should not have accepted the CPSU appeal. While most of its decisions were legally defensible, they were not politically wise. The Court has yet to learn that it cannot make judicial decisions in a political vacuum.

The Court should instead conserve its political capital for the most critical cases, and otherwise decide only routine matters. The Court cannot rely solely on legal idealism; it is a quick form of political suicide. Until the Court has developed a strong reputation and sense of legitimacy in Russia, the Court should avoid conflicts between the executive and legislative branches as much as possible by doing as little as possible.

While Chairman Zorkin did show skill in negotiating the December 1992 power-sharing agreement, his political grandstanding has seriously damaged the Court's image and divided the justices. By forcing him to resign, Yeltsin has probably unwittingly strengthened the Court in the long run.

Finally, recent events suggest the Court will become pro-Yeltsin and will consequently do little to contradict his will. The recently-ratified Constitution conveniently allows Yeltsin to immediately appoint at least seven more judges to the Court to expand its number to nineteen.[12] Even President Franklin D. Roosevelt would have been envious of this court-packing scheme. Presumably, Yeltsin will succeed in taming the Court in the short term. Yet, the fact that Yeltsin even included provisions in the new Constitution which preserve the Constitutional Court suggests that the Court is already too powerful for Yeltsin to completely disband it, which he certainly would not object to doing—the Court has caused him much grief since its inception.

Hence in the next few years the new Constitutional Court will probably exercise significantly less independence from the executive branch, but it will also be protected by the executive branch. In such a position, the Court could conceivably evolve into a truly independent branch of government over the next few decades.

WORKS CITED

Been, David Wedgwood. 1992. *Glasnost'* and the media. In *Developments in Soviet & Post-Soviet Politics*, ed. Stephen White, Alex Pravd, and Zvi Gitelman, 174-97. 2d ed. Durham, NC: Duke University Press.

Butler, William E. 1992. In *Developments in Soviet & Post-Soviet Politics*, ed. Stephen White, Alex Pravd, and Zvi Gitelman, 107-21. 2d ed. Durham, NC: Duke University Press.

Constitution of the USSR. 1977. Translated by Murad Saifulin and Konstantin Krostrov. In *The New Constitution of the USSR*, by Boris Topornin. USSR: Progress Publishers.

Draft Constitution of the Russian Federation. 1993.

Economist. 1993. Russia in turmoil. *Economist,* 27 March, 19-20.

Feofanov, Yuriy. 1993. Constitutional Court Deputy Chairman interviewed. *Izvestiya,* 26 May, 5. In *FBIS-Sov,* 28 May 1993, 25-27.

Gunther, Gerald. 1991. *Constitutional Law.* 12th ed. Westbury, NY: Foundation Press.

INTERFAX. 1991. Rule of law concerns Constitutional Court. *INTERFAX,* 26 December. In *FBIS-Sov,* 27 December 1991, 39.

_____. 1991. Violation of constitution charged. *INTERFAX,* 26 December. In *FBIS-Sov,* 27 December 1991, 39.

Katanyan, Konstatin. 1992. Court issues compromise ruling in CPSU case. *Current Digest of the Soviet Press* 64 (30 December): 11-13.

Klimov, Yuriy and Nikolay Artemev. 1991. Zorkin elected Constitutional Court Chairman. *Moscow Radio Rossii Network,* 2 November. In *FBIS-Sov,* 4 November 1991, 60.

Kravtsov, Aleksey. 1993. Constitutional Court "fallen into disfavor." *Rossiyskaya Gazeta* (Moscow), 15 June. In *FBIS-Sov,* 16 June 1993, 29-30.

Law on the USSR Supreme Court. 1980. *Current Digest of the Soviet Press* 31 (January): 14-18.

Muratov, D. 1992. Constitutional Court Chairman cited. *Moscow_Komsomolskaya Pravda,* 8 February. In *FBIS-Sov,* 19 February 1992, 44-45.

O'Brian, David M. 1991. *Constitutional law and politics.* Vol. 2, *Struggles for power and government accountability.* 2d ed. New York: Norton.

Orlov, Vladimir. 1992. Chairman interviewed. *Moskovskiye Novosti,* 5 January 1992. In *FBIS-Sov,* 8 January 1992, 43.

Shak[h]ray. 1992. "Imperfect" constitution. *INTERFAX,* 15 January. In *FBIS-Sov,* 16 January 1992, 39.

Sharlet, Robert. 1992. *The Soviet constitutional crisis.* Armonk, NY: M. E. Sharpe.

_____. 1993. The Russian Constitutional Court: The first term. *Post-Soviet Affairs* 9 (January-March): 1-39.

Slater, Wendy. 1993. Constitutional Court judges resign? *RFE/RL Daily Report* (via E-mail), 28 September.

_____. 1993. Politicians propose compromise. *RFE/RL Daily Report* (via E-mail), 28 September.

Solomon, Peter H., Jr. 1987. The case of the vanishing acquittal: Informal norms and the practice of Soviet criminal justice. *Soviet Studies* 39 (October): 531-55.

TASS International Service. 1991. Congress elects Constitutional Court members. Moscow: 29 October. In and translated by *FBIS-Sov*, 30 October 1991, 67.

Teague, Elizabeth. 1993. Zorkin told to retire. *RFE/RL Daily Report* (via E-mail), 6 October.

Tolz, Vera, and Julia Wishnevsky. 1993. Russian Constitutional Court Chairman resigns. *RFE/RL Daily Report* (via E-mail), 7 October.

Wishnevsky, Julia. 1993. Russian Constitutional Court: A third branch of government? *RFE/RL Research Report* 2 (12 February): 1-8.

Yeltsin, Boris. 1993. Termination of the Russian Federation Legislature. *Vital Speeches* 60 (15 October): 8-9.

_____. 1993. Turmoil in Moscow. *Vital Speeches* 60 (1 November): 36.

Zamyatina, Tamara. 1991. Russian Constitutional Court judges sworn in. *TASS*. Moscow: 30 October. In *FBIS-Sov*, 31 October 1991, 50.

Zherebenkov, Yevgeniy. 1991. Candidate on functions of the Constitutional Court. *Moscow Radio Rossii Network*, 29 October. In *FBIS-Sov*, 30 October 1991, 67-68.

NOTES

1. The law specifically states that the "judges . . . of USSR Supreme Court are independent and subordinate only to the law" (Law on the USSR Supreme Court 1980, 14).

2. The USSR Committee of Constitutional Supervision was not particularly effective during its short existence. The Russian Constitutional Court even referred to its "sad fate" in a press release (INTERFAX 1991a, 39).

3. The first ten members of the Court were Nikolay V. Vitruk, N. T. Vedernikov, Valerii. D. Zorkin, T. D. Morshchakova, V. I. Oleynik, Yu. D. Rudkin, N. V. Selezhev, O. I. Tiunov, B. S. Ebveyev, and Ernest M. Ametistov (TASS International Service 1991, 67).

4. Sharlet notes that by the end of 1992 the Constitutional Court had decided only nine cases but resolved approximately sixteen thousand complaints (1993, 8).

5. Chief Justice John Jay (1789-95) resigned in 1995 to become an envoy to England, and when he returned, he refused a second appointment as chief justice. Chief Justice John Rutledge resigned without ever sitting on the Court. Chief Justice Oliver Ellsworth (1796-1800) served an unremarkable five years (O'Brien 1991, 30; Gunther 1991 B1).

6. In March 1804, the U.S. Senate removed Federal District Judge John Pickering from office. In 1805, Justice Chase barely survived the Senate vote. If Justice Chase had been removed, other impeachments and removals would certainly have followed (Gunther 1991, 11).

7. Justice Ernest Ametistov dissented, arguing that the referendum was merely an exercise of the "universally recognized right of nations to self-determination" (Wishnevsky 1993, 3)—an explosive doctrine in a multination-state like Russia.

8. "Article 67 of the Russian Constitution prohibits the forcing of any person to give evidence that could be used against him at a criminal trial" (Wishnevsky 1993, 4).

9. Based on the Court's ruling, the Congress of People's Deputies tried and failed to impeach Yeltsin.

10. The examples of U.S. Supreme Court justices sharply contrast with Zorkin's flamboyant style. Supreme Court justices lead extremely quiet lives and rarely make public statements outside of their court opinions.

11. During spring of 1992, Zorkin reported that the Court was receiving "hundreds of [individual] complaints" every day. At the end of 1992, the Russian Constitutional Court had decided nine cases and "settled approximately 16,000 complaints" (Sharlet 1993, 8).

12. The Draft Constitution of the Russian Federation expands the number of justices on the Constitutional court to nineteen. With Zorkin's resignation and the previous two vacancies, Yeltsin can immediately appoint seven new justices (see Art. 83 and 125).

America's Drug War: The Need and Requirements for Cultural Change

Mason Barlow

Introduction

We've got a war on our hands. . . . We've got to get real and do whatever it takes to provide safety.
>Washington D.C. Mayor
>Sharon Pratt Kelly

Over the last few years, a terrible "rage of violence," as described by the Reverend Jesse Jackson, has swept Washington, D.C. There were 489 murders in 1991, 451 in 1992 (New York Times 1993, A14), and 466 in 1993 (Lewis and Wheeler 1994, A10). Seemingly overwhelming, the fight against drugs and crime has created an atmosphere of desperation in urban America.

Not limited to America's major cities, increased drug and gang activity has spread to small and mid-size cities. Substance abuse penetrates all regions and segments of our society.
A solution to America's drug problem has so far escaped policy makers. The much trumpeted "war on drugs," initiated by the Reagan Administration to reduce supply, is now generally considered a failure. Demand reduction efforts, primarily prevention and treatment, demonstrate only marginal success. The drug culture continues to permeate the most vulnerable segments of American society, threatening the very institutions that preserve peace and order.

In light of America's political and cultural tradition, this article explores the need and requirements for developing a cultural ethos against drug abuse. The long-term solution to America's drug problem lies beyond the reach of government policy-makers. While government initiatives against both supply and demand may be helpful in the ultimate mix, the only lasting solution will come about from a broad-based cultural ethos against drug use.

War on Drugs

War on Supply

In February 1982 President Ronald Reagan declared a "war on drugs." This effort focused primarily on supply-side strategies to stop illicit drugs from entering the United States. Responding to Congressional pressure, President Reagan signed a National Security Decision Directive in April 1986, declaring narcotrafficking a "lethal" threat to U.S. national security and opening the door for greater military involvement (Smith 1992, 131).

Military resources focused on primarily interdiction and the support of source countries in their eradication and enforcement efforts. This strategy yielded only marginal results. Operation Blast Furnace, for example, succeeded in temporarily lowering the price of Bolivian coca leaves, but failed to slow the flow of cocaine to the United States. Bruce M. Bagley sums up the failure:

Despite the decline in leaf prices and the parallel decline in cocaine refining in Bolivia during Operation Blast Furnace, however, there was no discernible impact on the availability of cocaine in the United States, and coca leaf prices rapidly rebounded to pre-Blast Furnace levels after U.S. forces withdrew in November 1986. (Smith 1992, 136)

In an earlier article, Bagley summarized the disappointing fruits of President Reagan's "war on drugs:"

Illicit drugs of all types were more readily available and cheaper in the United States in January 1989 than they had been at the outset of the Reagan Presidency in 1981. Drug use and abuse in U.S. society had increased dramatically over the 1980's, and the U.S. drug market remained the biggest and most lucrative in the world. Drug-related crimes and violence had reached epidemic proportions and in many U.S. cities, were greatly exacerbated by the introduction and rapid spread of a highly addictive form of cocaine known as "crack." (Bagley 1988)

Declaring "this scourge will end," President George Bush increased the militarization of the drug war, culminating in the 1989 invasion of Panama and the arrest of its president for drug trafficking. In 1990, 75 percent of the $28 billion drug control budget was spent on enforcement (Reuter 1992, 21), yet these efforts did not prevent cocaine from reaching U.S. streets.

After a decade of watching the "war on drugs" in action with its emphasis on supply-side strategies, experts are now in general agreement that any meaningful solution to the problem must reduce the U.S. demand for illicit narcotics. Peter H. Smith concludes, "Ultimately, it is decline in demand that will bring about a decline in supply" (Smith 1992, 16). Perhaps learning a lesson from Operation Blast Furnace, Miguel Ruiz-Cabanas argues "Without demand reduction, the *result will be clear*: a simple substitution of suppliers" (160). After an exhaustive study of "Bolivia and Coca," James Painter concludes, "Only demand-side solutions . . . will work to reduce the cocaine trade" (Painter 1994, 145). Bruce M. Bagley concurs: "Unless the United States addresses the demand side of the equation--thereby reducing the profitability of drug trafficking--supply-side efforts in Latin America and the Caribbean may ultimately prove fruitless" (Smith 1992,

145). At the end of his volume *Drugs and Crime*, James Q. Wilson concludes, "I believe that every contributor to this volume agrees that significant reductions in drug abuse will come only from reducing the demand for those drugs" (Tonry 1990, 534).

Emphasizing the need for global cooperation, Stephen E. Flynn recognizes, "In the long run, reducing global demand is the only truly effective way to suppress the transnational drug trade and the traffickers who profit from it" (Flynn 1993, 22). And LaMond Tullis concludes, "It seems quite clear that policy makers must face the reality that their domestic drug consumption problem is primarily an internal matter and that the solution for it must ultimately be found within the borders of their own countries" (Tullis 1991, 222).

This consensus behind a demand-side solution does not negate the need or usefulness of *all* supply-side efforts. Indeed, some may prove helpful or essential in the overall mix. But clearly any long-term solution to drug abuse must emphasize demand reduction if it is to succeed.

Despite this widespread consensus among experts, public policy has changed little. After indicating it might reverse the Bush Administration drug policy, the Clinton Administration will now only make minor changes in this year's budget. The Pentagon budget proposes a 6 to 11 percent spending cut in interception efforts, which now account for 71 percent of its $1.17 billion anti-drug budget. It would also increase spending by 5 percent on training and equipment for countries that grow, refine and export illegal drugs to 16 percent of the total budget. Comments Peter Reuter, director of drug policy research at the Rand Corporation, "They're taking money out of interdiction, which is good. But they're moving it to an area that I think is even less promising: helping governments that don't want to be helped." This year's

Clinton budget reflects no significant change from the Bush budget, distributing 65 percent for law enforcement and 35 percent for health measures (Treaster 1993, A4). Any future move toward a demand-oriented policy will certainly arouse opposition from those with a stake in the current policy (Thoumi 1993, 474).

War on Demand

Demand-reduction efforts attempt to "dissuade, discourage, or deter individuals from either using drugs or desiring to use drugs" (Tonry 1990, 464). Thus these efforts have centered on prevention, treatment, and increasing the costs of drug use (534). Before exploring the requirements of creating a strong cultural ethos against drug use, we should look at the effectiveness of these traditional tactics of reducing demand.
Traditional prevention strategies primarily target youth and are categorized thus: 1) information-dissemination, 2) affective-education, 3) alternatives, 4) social resistance-skills, and 5) social resistance-skills training emphasizing personal and social skills training (473).

Despite proliferating over two decades, school-based education programs emphasizing the consequences of substance abuse have proven ineffective as a deterrent strategy. Studies now show that increased knowledge has "virtually no impact" on prevention (487). In fact, some evidence suggests that "'Drug education' has probably increased experimentation and tampering with illicit drugs more than deterred it" (Tullis 1991, 225).

This realization has led to a new generation of programs based on 1) advanced understanding of psychosocial influences, 2) popular theories on behavior, 3) well-tested intervention methods, and 4) rigorous evaluations (Tonry 1990, 463).

However, the only effective preventive methods are school-based approaches anchored in social learning and problem behavior theories (510). So far, prevention efforts have been generally ineffective, though recently there appears to be marginal progress.

Attempts to reduce demand through treatment have also shown mixed results. As of 1987, 90 percent of all patients participated in four major varieties of treatment: 1) outpatient methadone maintenance, 2) detoxification, 3) therapeutic communities, and 4) outpatient drug-free programs (397).

Retention and funding have been the two major problems in treatment efforts. While significantly decreasing both heroin use and criminality, methadone maintenance programs suffer from a low retention rate. Only 17 percent of entrants remain in the programs after six months, 10 percent after a year (418). Of those addicts who complete treatment in methadone maintenance, as well as therapeutic communities, two-thirds relapse within a year (48).

Outpatient drug-free programs were the least successful in reducing drug use. After one week, 21 percent of patients drop out, 36 percent after one month, and 60 percent by three months. Although 45 percent of the patients reduce their use, one-third engage in equal or increased drug use (423).

In addition, "crack" poses a special challenge, as described by Bruce D. Johnson:

The only "treatment" that consistently rehabilitates crack users is total abstinence from all drugs, but those who abstain are a distinct minority. Even programs designed for middle-class and employed working-class crack users have dismal outcomes. Over 80 percent relapse to crack and other drug use within a year, most within 30 days of treatment exit. While a variety of experimental treatments are underway, the current prognosis for finding a

treatment that can keep the one-year relapse statistic under 50 percent appears distant. (Tonry 1990, 48)

For all treatment programs, the length of time in treatment is the best predictor of a successful outcome (5). Other integral program characteristics include flexibility, regular evaluation, and a controlled setting (442-3). The addict's social background also impacts the likelihood of success. For example, criminals and urban homeless are especially likely to drop out of treatment and relapse rapidly to heroin, cocaine, and crack (48). Legal compulsion appears to be the one variable that increases retention (537).

Nevertheless, there are waiting lists to enter treatment programs, which are seriously underfunded. In New York City, for example, there are between 500,000 and 600,000 hard-core drug users with only 55,000 publicly financed treatment slots. Of these slots, 34,000 are in methadone programs for helping the 200,000 heroin addicts, leaving about 20,000 slots for cocaine and crack addicts. Two-thirds of these slots are in out-patient clinics, leaving only 6,000 slots in residential centers that provide up to two years intensive care for hard-core addicts (Massing 1993, A15). These figures demonstrate the serious lack of funding of drug treatment efforts, one of the few effective efforts in the drug war.

Last, strategies to increase the individual cost of drug use have raised controversy. Studies have shown that drug testing, under proper circumstances, may reduce drug use. In the U.S. Navy, a 1981 survey showed that 48 percent of all enlisted personnel under twenty-five years were drug users. In the late 1980s, after drug testing was implemented, that number dropped to 5 percent (Tonry 1990, 540). While widespread testing could have a supposed positive effect by demonstrating society's intolerance of drug use, there remain to be resolved ethical, legal, and cost issues (541).

In the end, the war on demand has produced only marginal results. Clearly, treatment efforts can have a sizeable impact, but lack sufficient funds. Even if a fully funded national treatment effort only "cures" 20 percent of the nation's addicts, it would be a remarkable achievement given our unimpressive results to date. Nevertheless, any solution to America's drug problem must succeed in preventing new people from joining the drug culture. LaMond Tullis contends, "The best long-term prospects lie in value initiatives that are credible" (Tullis 1991, 224). Until we significantly reduce the number of people who become drug users, both casual and hard-core, we will be playing catch-up.

Theoretical Framework

In exploring the requirements of promoting a strong cultural ethos against drug use, we must explain how general patterns of behavior change in American society. As we do this, we must sensitize ourselves to the differences between American society in general and the specific subcultures where drug use appears most prevalent, such as the urban "underclass." As we ask how cultural behavior changes in society generally, we should also consider whether the answer holds true for those communities caught up in the drug culture. We may or may not find that what holds true for American society in general holds true for smaller subcultures within American society.

A brief discussion of mankind's moral reasoning will help us understand patterns of behavior in America. Utilitarians and cultural relativists contend that morality is learned and that man is born a *tabula rasa*. Anthropologist Robin Fox answers their argument well:

If, indeed, everything is learned, then surely men can be taught to live in any kind of society. Man is at the mercy of all the tyrants who think they know

what is best for him. And how can he plead that they are being inhuman if he doesn't know what being human is in the first place. (Fox 1973, 13)

James Q. Wilson asserts that, with few exceptions, all humans are born with a "moral sense." He offers an instructive definition of this "natural" endowment:

By *moral sense* I mean a directly felt impression of some standards by which we ought to judge voluntary action. The standards are usually general and imprecise. Hence, when I say that people have a moral sense, I do not wish to be understood as saying that they have an intuitive knowledge of moral rules. Moral rules are often disputed and often in conflict; but the process by which people resolve those disputes or settle those conflicts leads them back to sentiments that seem to them to have a worth that is intuitively obvious. These sentiments constitute the fundamental glue of society, a glue with adhesive power that is imperfect but sufficient to explain the social order to some degree. (Wilson 1992)

According to Wilson, humans respond intuitively to moral sentiments. While moral rules need to be taught and reinforced, our natural "moral sense" exists from birth.

Voluntary behavior responds to the internalization of moral codes or rules. Internalization takes place as we learn the moral rules and are held accountable for obeying them. Implicit or explicit, the most effective teaching method is by example. Moral values or codes are primarily transmitted in American society by institutions of moral instruction and authority. These "transmitters" of moral guidance interact with our moral center and over time help us to internalize the moral rules of society. "Transmitters" do not "create" morality; they instead explain it and hold us accountable for it. These "transmitters" include the family, church, and school, among others (Vetterli 1987, 52). These institutions are not all equally important, but all influence the formation of an individual's moral code and therefore

behavior.

Not only should institutions of moral instruction be identified, but also values that contribute to the formation of a cultural ethos against drug use. We must identify the values adopted that lead to drug use and counteract them with values that most effectively discourage that behavior. Not all values are equally strong in discouraging drug abuse. To be most effective, they should not be foreign to American culture, but rather be found in the American cultural tradition.

Ultimately, cultural change depends on the health of these institutions and the effective transmission of appropriate values. These institutions are societal leaders who highlight which cultural values are important. Without shared values, society becomes immobilized, as its members question each other's intentions (Hawkins 1993). If these institutions break down, society loses its moral direction and faces problems such as widespread drug use, crime, and illegitimacy. Thus to explore the requirements of developing a new cultural ethos against drug use, we must assess the health of the institutions of moral authority and determine what shared values need to be highlighted as an effective counterbalance to drug use.

Institutions

Cultural change depends on the health and strength of the institutions traditionally responsible for the transmission of moral codes. If these "transmitters" are weak, moral norms and prosocial standards of behavior suffer, as new generations fail to internalize them and adopt them as their own. In addition, if these moral codes are not reinforced continuously, the older generation, that may have internalized them in their youth, may gradually abandon them. These institutions perpetuate the pro-social,

moral behavior that contributes to orderly society. Richard Vetterli identifies the "family, school, churches, neighborhood, and other local institutions" as the "primary feeders and simulators of the general civil religion" (Vetterli 1987, 52), defined broadly, as "a people's or a nation's 'official' or generally accepted dogmas, symbols, traditions, rituals, and practices, inherited and reinforced by various forms and methods of indoctrination and socialization" (95).

Sociologist Robin Williams observes that "every functioning society has, to an important degree, a 'common religion'" (Williams 1951, 312). Anthropologist Ruth Benedict agrees: "What really binds men together" in society "is their culture—the ideas and the standards they have in common" (Benedict 1961, 16). The common values, norms, and standards of behavior are the glue that holds society together. These institutions— family, church, and school— play the vital role of identifying, explaining, and holding people accountable to the shared morality. While not equally influential, these institutions interact with one another, contributing to the development of the cultural ethos.

Family

Traditionally the most effective "transmitter" of moral guidance, the family plays a role that no other institution can play. Through parental example and instruction, children internalize moral codes. They learn society's expectations and standards, as well as their responsibilities in society. Through daily interactions with family members, children learn to distinguish good from bad behavior, associating rewards with good behavior and punishments with bad behavior. Today the health of the family, as a primary transmitter of moral values, is in doubt. A brief glance at the statistics clearly indicates that something is awry. Nationwide, 30 percent of all babies are born out of wedlock, compared to 5 percent in 1960. Urban communities, where the drug problem seems especially acute, experience a high rate of illegitimate births: 71 percent in Detroit, 66 percent in Washington, D.C., and 45 percent in New York City. By the year 2000, the overall figure for the United States could exceed 40 percent (Clymer 1993, A12). The divorce rate has more than doubled between 1960 and 1980, resulting in half of today's first marriages eventually ending in divorce. In 1970, 12 percent of American children lived in homes headed by single mothers; today it is almost one in four. Comments Jonathan Rauch, "The rise of single parenthood is, almost certainly, the most far-reaching change in American life in this century. Not for years will the effects be fully fathomed." Already the link to poverty is undeniable: children living in fatherless homes are five times more likely to be poor, with nearly 75 percent experiencing poverty before adulthood (Rauch 1992, 22). Clearly the family unit has many challenges to its stability today.

Drug abuse within the family significantly weakens the family as a nurturer and transmitter of moral rules. Bruce D. Johnson et al. make this assessment:

Hard-drug abuse may badly damage or end relationships among family members. Companionship and sexual pleasure between adults decline due to drug consumption. Time spent with children frequently ends; the abuser's erratic and unreliable behavior undermines parent and child relationships. Once out of the household, the male drug abuser rarely has contact with his children, although female addicts may try to maintain contact. In short, cocaine-heroin abuse (unlike alcoholism and daily marijuana use) severely and rapidly undermines, if not destroys, the family as an economic and affective unit. (Tonry 1990, 54)

Evidence of this is found in New York City, where over 10 percent of babies born test positive for cocaine. "A sizeable proportion of them," state Johnson et al., "are abandoned by their mothers before leaving the hospital and are never reclaimed," contributing to the growing number of children born to "no parent" families. "That is," they continue, "no natural parent of the child is responsible enough to raise the offspring; few or no members of the child's kin network are willing to assume this responsibility" (55). Gilbert J. Botvin argues:

By far, the strongest factors associated with substance use/abuse concern both the behavior and attitudes of significant others such as parents, older siblings, and friends. Individuals who have family members or friends who are substance users have a significantly increased risk of becoming substance users themselves. (Tonry 1990, 466)

Clearly, the moral environment of the home influences child behavior for good or bad. Children generally learn how to live or how not to live life from their parents by word as well as observation.

Some suggest that families have "dropped the ball," leaving children in a "moral vacuum" at home (Peterson 1992, 10D). A controversial new bill before the New Jersey State Legislature reflects a growing concern that parents are shying away from their traditional responsibilities to their children. The bill would subject parents to a "petty disorderly persons conviction" if their child has ten or more unexcused absences in a school year and would fine them $25 for the first offense and $100 for subsequent offenses up to a maximum $500, thirty days imprisonment, or both (Gray 1992, B4). Jesse Jackson has also recognized a need for greater parental responsibility, developing a plan to mobilize parents through a new church-based program. The program would distribute cards through black churches pledging parents to take their children to school, meet their teachers, read their children's report cards and turn off their TVs at home at least three hours every night (Sullivan 1993, A14).

These measures represent a general concern that parents are failing in their traditional roles as providers of moral guidance for their children. Any long-term solution to the drug problem must reverse the decline of the American family as a "transmitter" of moral instruction and accountability. The success of a new cultural ethos against drugs requires an improvement in the condition of the family, so that it may serve in its traditional role of socializing children with the positive values and norms of the community.

Church

Among institutions, the church plays a vital role in the transmission of moral rules from one generation to the next. Said Richard and Shirley Jessor:

Among the institutions of society most clearly identified with conservation of traditional values and the maintenance of conventional standards of conduct, the church is perhaps preeminent, and much of religious doctrine is directly concerned with morality and with sanctions against transgression.

The influence of the church is not limited to the worship service, but extends to other institutions, including the family. The Jessors continue:

The socialization "reach" of the church as an institution extends well beyond its direct contact with those who attend services or participate in church schools; its doctrines are often transmitted within the family context by parents who serve, either explicitly or by example of their religious commitment and identification, to reinforce the teachings of their religion. Thus religious socialization is intimately connected with family socialization. (1977, 217-18)

The interplay between church and family contributes significantly to the creation of the American cultural ethos.

Religion is made up of "beliefs" and "rites." Beliefs are the "state of opinion" (Durkheim 1975, 113); rites are "rules of conduct that prescribe how man must behave in relation to sacred things" (117). These common beliefs and rites "unite into one single moral community called a church all those who adhere to them" (123). Religion, by its moral rules and authority, is a major influence on personal behavior, as well as the cultural ethos.

Among American institutions, none "did so much with so little as the black church." African Americans historically have treasured the black church for addressing both their secular and sacred interests (Berry and Blassingame 1982, 105). In his classic study *The Philadelphia Negro* (1899), W. E. B. Du Bois identified the many secular endeavors of the black church:

All movements for social betterment are apt to centre in the churches. Beneficial societies in endless number are formed here; secret societies keep in touch; co-operative and building associations have lately sprung up; the minister often acts as an employment agent; considerable charitable and relief work is done and special meetings held to aid special projects. (Berry and Blassingame 1982, 105)

Today, the black church continues to fulfill this role. With roots in the civil rights movement, the church continues to fight for social justice as well as the spiritual well-being of the black community.

Not surprising given its historic role in the black community, the church is one of the first institutions that is turned to for addressing the plague of drugs and violence. Many efforts are being made in the religious community, from preachers on the corner in drug infested neighborhoods of Washington, D.C., to *Hope in Youth*, a new multimillion dollar program in Los Angeles, funded by

government but run by local churches (Associated Press 1993, A13).

In Washington, D.C., the Metropolitan Baptist church purchased most of the row houses on its block, including a deli. The church cleaned up the block, ousting the drugs, alcohol, cigarettes and lottery tickets. Metropolitan's senior minister, the Reverend H. Beecher Hicks Jr. said, "We need to set an example for what is good and clean and wholesome in our communities. If the church cannot do it, no one can" (Goodstein 1993, B1).

The importance of the church in the fight against drugs cannot be overstated. Individuals who are highly religious are less likely to engage in drug abuse. Said Jessor and Jessor:

Religiosity was shown to function as an important personal control against deviant behavior, and church attendance was shown to be inversely related to engagement in a variety of problem or transition behaviors [including drug use]. (1977, 218)

The degree of "religiosity" or "fundamentalism" or "orthodoxy," of course, influences the degree to which individuals tolerate transgression.

According to the April 1993 *Gallup Poll Monthly*, 59 percent of all Americans said religion was "very" important to them, 32 percent said "fairly," and 9 percent said "not very." Among urban communities, where drug abuse has hit hardest, the response was close with 62 percent saying "very," 29 percent "fairly," and 9 percent "not very." Among the non-college educated, 64 percent said "very," 29 percent "fairly," and 7 percent "not very." Among low income individuals, earning less than $20,000 a year, 66 percent said "very," 28 percent "fairly," and 6 percent "not very." Finally, among non-whites, 80 percent said religion was "very" important to them, 16 percent said "fairly," and only 4 percent said "not very" (Newport 1993, 43). This

poll reveals that the most religious communities are found among the non-white, urban, low-income, non-college educated sectors of American society—traditionally considered the most vulnerable community to drug abuse. Thus the church plays a potentially influential role among the disadvantaged.

Seventy-one percent of Americans claim to be a member of a church or synagogue, with 41 percent attending during the past week (Newport 1993, 37). Clearly, few institutions touch the lives of so many Americans and have such a powerful influence on individual moral development.

The tenets of Christianity, Judaism, Islam, and certainly other religions contain moral codes that concern substance abuse. Among Americans, 88 percent identify themselves with a Christian religion, 2 percent with Judaism, and 1 percent with Islam. Only 5 percent do not identify themselves with any religion (Newport 1993, 36). Thus between 91 and 95 percent of Americans already associate themselves with a religion that speaks or can speak to substance abuse. Given its traditional place and moral authority in American society, the church must play an important role in the development of a strong cultural ethos against drug abuse.

School

Another traditional "transmitter" of moral instruction and authority is the school. Through most of American history, schools focused on the development of moral character, along with reading, writing, and arithmetic. Comments William Kilpatrick:

The emphasis was not on taking a stand on a issue but on building good habits of behavior. Morality wasn't just in your mind in an abstract way but it was wired into your very being through practice and habit. It wasn't a curriculum or a course but a general approach to life. Before the '60s, no one

ever dreamed that values could be capsulized and taught in a one-hour classroom session.

Beginning in the late sixties through the seventies, most schools changed from character education to "decision making" or "values clarification" education, based on the idea that schools should not push certain values, but rather teach "relativism," or the belief that all values are equal and that no one can say what is right or wrong. This educational philosophy taught decision-making skills to help the children determine what values would be best for them (McCabe 1992, 32). James Q. Wilson observes:

Education is, of course, a moral endeavor. It is not and never was simply a form of practical instruction. This does not mean teachers and professors must announce moral precepts. That's not the way we learn morality. They must organize a moral environment in which right behavior is rewarded and wrong behavior is punished and people learn respect, duty, and obligation and if that is imposing moral views, I say that is what education is about. (Wilson 1993)

For the past twenty years or so, public schools have undermined the moral instruction taught at home and at church by teaching relativism.

Only recently, schools have begun to turn back toward character-based education. School systems in Utah, Atlanta, Oregon and Virginia have changed approaches with good results. In Oregon, for example, a school district has implemented a four-year curriculum emphasizing different virtues, such as honesty, integrity, and respect, each year. The curriculum includes the study of people who have exhibited a particular virtue and guidance on how to put a virtue into practice (McCabe 1992, 32).

Although school plays an important role in the transmission of moral codes to youth, it is unfair to expect it to succeed without vigilant and supportive parents. As

noted earlier, these institutions interact. Just as the family's efforts are hurt if the school undermines them, so can the school's efforts be undermined if they do not receive support from the family. Also, religion impacts the attitudes of family members and school administrators. Any new cultural ethos against drug use must emerge from the combined contributions of all these institutions.

Values

To develop a cultural ethos against drug abuse, society must not only work *through* the most effective institutions, but also work *with* the most effective values. Not all values have equal power in deterring illegal drug consumption. Any successful "value initiative," designed to establish a strong cultural ethos against drug abuse, must incorporate the strongest anti-drug values.

Useful values may be utilitarian or moral. Also they must "fit in" with the targeted culture. Values that play well in white middle-class America, for example, may seem foreign among urban, African-American communities. Though we often exaggerate our differences, they do exist and we need to be sensitive. One of the strengths of community-level initiatives is that they can be tailored to specific sub-cultures, employing the most appropriate and effective symbols, institutions, and values. Families, churches, and schools can tailor their efforts to their members, thereby being more effective than a nationwide, publicly lead campaign, which conjures up frightening images of social engineering.

"Self-Interest Rightly Understood"

Among secular values, few discourage drug abuse as powerfully as Alexis de Tocqueville's concept of "self-

interest rightly understood." Defined as liberal individualism tempered by republican virtue, "self-interest rightly understood" reflects the American Founders' concern that this free society embrace virtue as a necessary bulwark against self-destructive self-interest. Said de Tocqueville:

> The principle of self-interest rightly understood produces no great acts of self-sacrifice, but it suggests daily small acts of self-denial. By itself it cannot suffice to make a man virtuous; but it disciplines a number of persons in habits of regularity, temperance, moderation, foresight, self-command; and if it does not lead men straight to virtue by the will, it gradually draws them in that direction by their habits (Vetterli 1987, 257).

Simply, "self-interest rightly understood" means a healthy ambition. Self-interested individuals abstain from self-defeating activities, such as drug abuse. While judging self-interest capable of removing "large segments of a new underclass generation from a drug abuse culture," LaMond Tullis concludes that

> neither it nor a regime based on fear will produce desirable long-term drug consumption results in the absence of value change—the general development of generations of people who desire to sustain their lives without abusing drugs (Tullis 1991, 223).

"Self-interest rightly understood" alone cannot succeed as a final solution to the demand problem. It must be accompanied by other values.

Personal Responsibility

Capable of distinguishing right from wrong, individuals are responsible for their behavior. Regardless of their circumstances, individuals must accept ultimate accountability for their actions. Parents, clergy, teachers, community and government authorities must hold individuals accountable for their behavior, lest the ethic

of responsibility turns hollow. Comments William Bennett, "What must link all our efforts, from supply to demand, at all levels, is an ethic of personal responsibility. Those who transgress must account for their transgression. Those who spurn or resist transgression must be supported and praised" (Bennett 1989, 7). In holding individuals accountable, he continues,

We need to re-orient our process of justice where drugs are concerned and adopt the principle that certainty of punishment is more important than severity of punishment. Those guilty of drug offenses must believe that punishment is inevitable. As long as they don't, the deterrent effect of incarceration will be neutralized (Bennett 1989, 4-5).

Along this vein, not only should the criminal justice system do a better job at holding individuals accountable, but parents too must hold their children responsible, clergy should hold their parishioners responsible, teachers and administrators should hold their students responsible. Especially for the young, the "certainty, not severity" doctrine clearly labels drug use as socially intolerable. For casual users, this brings home the potential costs of their behavior; for addicts, this may encourage them to finally accept their individual responsibility and enter treatment (Bennett 1989, 7). The internalization of personal responsibility will contribute to a stronger cultural ethos against drug use.

Religious Values

Religion can give people the best reasons to avoid drug abuse. In fact, research shows that highly religious people are less likely to engage in drug use and that religious support increases the likelihood of success for individuals engaged in treatment. In Arlington, Virginia, the Lomax AME Zion Church is working to establish a program that combines standard treatment

techniques with a spiritual emphasis. Said James Van Cooper, a member of the program's advisory board and employee of the Fairfax County Department of Mental Health:

We tend to look at things from a clinical or treatment perspective, and we don't deal with the spiritual aspects of it. That's the part that is missing. The spiritual guidance and the enrichment are the key things that empower the users to go and make a difference in their lives (Kaplow 1992, V1).

Numerous testimonials of recovered drug addicts reveal that God had played an important role in their recovery. To understand religion's role in keeping people off drugs and helping them recover, we must look at the religious values or tenets that operate.

In America, 91 percent associate themselves with the Christian-Judeo-Islamic ethic, Christianity being 88 percent. These religions share many fundamental beliefs, including traditional prohibitions against substance abuse. Considering the central position of the church in American society, the church can have a powerful impact on the drug problem.

Among religious values, the very belief that God exists and loves His children can have a powerful impact against drug use. Studies have associated drug use with low self-esteem (Tonry 1990, 466). A strong belief that God loves you and is pleased with you regardless of socio-economic standing is a forceful boost to self-image. Paul writes in Romans 8:35,38-39:

Who shall separate us from the love of Christ? shall tribulation, or distress, or persecution, or famine, or nakedness, or peril, or sword? . . . For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.

For Christians, evidence of this love is found in John 3:16: "For God so loved the world, that he gave his only begotten Son." Belief that God loves us individually and unconditionally fortifies an individual's self-worth. Found in Judaism, Christianity and Islam, concepts of "chosenness" can also add upon this love and increase self-worth.

Hope and faith are other powerful tenets in religion. Given God's love, Christians, Jews, and Moslems share Matthew's contention that "with God all things are possible" (Matthew 19:26). The Lord asked Abraham, "Is any thing too hard for the Lord?" (Genesis 18:14). Low self-confidence is associated with substance abuse (Tonry 1990, 466). Low self-confidence also discourages people attempting to break the addiction. Hope and faith in God's power enables addicts to overcome an addiction which might seem impossible to overcome alone. In addition, those who may be led to use drugs in despair of their situation might resist by having hope and faith in God's power to help the individual overcome his trials in life. The civil rights movement drew upon the faith and hope of its members in God to deliver. In the same spirit, the Reverend Jesse Jackson recognizes the need for hope in poor communities, making famous the call, "Up with hope! Down with dope!" These values are most powerful in their effect on drug use when placed in a religious context.

Another valuable religious tenet found in America is the belief in life-after-death and that all individuals must face a final judgement by a just God. This belief makes individuals accountable not only to the law for public behavior, but also to God for private behavior. This tends to have a moderating effect on personal behavior, including "victimless" crimes.

Last, all three major American religions and many more share a common charge to followers to love their fellowmen. Said Jesus, "A new commandment I give unto you, That ye love one another; as I have loved you." (John 13:34). In Leviticus 19:18, the Lord commanded Israel, "Thou shalt love thy neighbor as thyself." Love implies not only concern, but also commitment and sacrifice for another. This fundamental tenet of religion will not only strengthen family bonds, but also require tempted individuals to think twice and contemplate the impact their drug use will have on others.

In searching for a cultural ethos against drug use, secular and religious values can have a positive impact. The most persuasive arguments not to use drugs are often religiously based. But those most vulnerable to be drawn into drugs may not be reached easily by religious arguments. No cultural ethos against drug use can appear overnight; it may take generations as these values take greater root in society. But as a society gradually internalizes these values, it becomes healthier and more capable to deal with the hardest to reach.

Conclusion

After a decade of fighting the "war on drugs," the nation's situation seems worse. Americans generally sense that their efforts have failed to reduce drug consumption and its related externalities. As violent crime increases and general health decreases, the quality of life in American society, particularly in urban America, suffers.

American policy-makers are at a loss for a solution. A decade-long strategy emphasizing supply-side reductions has failed; demand approaches have thus far

produced only marginal results. The long-term solution to America's drug problem lies out of the reach of government policy-makers. While government initiatives against both supply and demand may be helpful in the ultimate mix, a lasting solution will only come from a broad-based cultural ethos against drug use.

Family, church, and school are the primary institutions that transmit the essential pro-social, moral values that unite society in order and peace. They highlight the common values within society that permit individuals to live peacefully and positively with one another. When weak or unhealthy, these institutions are less capable of transmitting the most important societal values, including those values that most effectively discourage drug use.

Jesse Jackson had it right speaking to a concerned group recently:

Three hundred and sixty-two blacks under the age of 21 have been killed by other blacks in New York City this year. More than 300 in New Orleans. Around the country there is this rage of violence, *not born of poverty and neglect as much as driven by drugs and guns and perverse values* (Sullivan 1993, A14).

America's answer to the drug problem should not focus on the Bolivian coca farmer, but on our own soul as a nation. As the scripture says, "first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye" (Matthew 7:5). By strengthening the institutions of moral socialization and employing the most effective anti-drug values, a cultural ethos against drug use can succeed to significantly reduce drug consumption in America.

WORKS CITED

Associated Press. 1993. Los Angeles gets plan to ease gang problem. New York Times, October 14, 13(A).

Bagley, Bruce M. 1988. U.S. foreign policy and the war on drugs: Analysis of a policy failure. Journal of Interamerican Studies and World Affairs 30 (Summer/Fall): 189-212.

Benedict, Ruth. 1961. Patterns of culture. Boston: Houghton Mifflin.

Bennett, William J. 1989. Moralism and realism in the drug war. New Perspectives Quarterly 6 (Summer): 4-7.

Berry, Mary Frances and John W. Blassingame. 1982. Long memory: The black experience in America. New York: Oxford University Press.

Clymer, Adam. 1993. Moynihan's health plan: First, cure social decay. New York Times, October 20, 12(A).

Durkheim, Emile. 1975. Durkheim on religion. Boston: Routledge and Kegan Paul.

Flynn, Stephen E. 1993. The transnational drug challenge and the New World Order. Washington, D.C.: The Center for Strategic and International Studies.

Fox, Robin. 1973. Encounter with anthropology. New York: Harcourt Brace Jovanovich.

Goodstein, Laurie. 1993. Urban church's spirited renewal as new members flock, Shaw's Metropolitan Baptist buys the block. Washington Post, February 28, 1(B).

Gray, Jerry. 1992. Bills in Trenton aim at conduct of youngsters. New York Times, March 10, 1 (B)and 4(B).

Hawkins, John. 1993. Lecture, notes taken by author. Brigham Young University, November 2.

Jessor, Richard and Shirley L. Jessor. 1977. Problem behavior and psychosocial development. New York: Academic Press.

Kaplow, Bobby. 1992. Spiritual comfort part of church's Rx for addiction. Washington Post, September 24, 1(V).

Lewis, Nancy and Linda Wheeler. 1994. Arrest is swift in fatal shooting of D.C. officer. Washington Post, January 1, 1(A) and 10(A).

Massing, Michael. 1993. Help addicts? Sure. We promise. Really! New York Times, October 22, 15(A).

McCabe, Bruce. 1992. What ever happened to kids' morals? An educator tries to fathom what went wrong. Boston Globe, December 7, 32.

New York Times. 1993. Police, not troops, in Washington. New York Times. October 27, 14(A).

Newport, Frank. 1993. The Gallup poll monthly. Princeton, New Jersey: The Gallup Poll.

Painter, James. 1994. Bolivia and coca: A study in dependency. Boulder, Co.: Lynne Rienner Publishers.

Peterson, Karen S. 1992. Guiding kids with a curriculum of compassion. USA Today, December 14, 10(D).

Rauch, Jonathan. 1992. America's crack up: Government can wage war, build roads, and desegregate schools but it can't save us from ourselves. Los Angeles Times, July 26, 22(A).

Reuter, Peter. 1992 Hawks ascendant: The punitive trend of American drug policy. Daedalus 121 (Summer): 15-52.

Smith, Peter H., ed. 1992. Drug policy in the Americas. Boulder: Westview Press.

Sullivan, Ronald. 1993. Jackson calls on parents to fight school violence. New York Times, October 12, 14(A).

Thoumi, Francisco E. 1993. Political economy and illegal drugs in Colombia.

Tonry, Michael and James Q. Wilson, eds. 1990. Drugs and crime. Chicago: University of Chicago Press.

Treaster, Joseph B. 1993. Pentagon drug fight to edge away from emphasis on interception. New York Times, October 29, 4(A).

Tullis, LaMond. 1991. Handbook of research on the illicit drug traffic. New York: Greenwood Press.

Williams, Robin M., Jr. 1951. American society: A sociological interpretation. New York: Knopf.

Wilson, James Q. 1993. The moral sense. American Political Science Review 87 (March), 1-11.

_____. 1993. Is there a moral sense? Speech given at Brigham Young University, Provo, Utah. Harold B. Lee Library, Learning Resource Center. Cassette AC3943.

Vetterli, Richard and Gary Bryner. 1987. In search of the republic: Public virtue and the roots of American government. Totowa, New Jersey: Rowman and Littlefield.

Years of Decision: An Explanation of the 1948 and 1949 Yugoslavian Conflicts

Stephanie McWhorter

Introduction

With the conclusion of World War II, the cementing of a strong bi-polar sphere of influence system appeared imminent. The two dominant powers, the United States of America and the Union of Soviet Socialist Republics, gathered their allies together, bolstering their military, economic and political strength. To the casual, or even informed Western observer, the Yugoslavian government's commitment to the Soviet agenda seemed firm and unwavering. As late as April 12, 1948, Yugoslavian leader Marshal Josip Broz Tito relayed his commitment to Stalin, detailing his party's achievements for the communist cause and past loyalties (Banac 1988, 117). Yet within three months, ties between the two countries would be strained and the Western world shocked by an apparently irreconcilable schism between the two strong Communist countries.

What led to the shocking severance of ties and Yugoslavia's subsequent conciliatory actions toward Western powers? On the surface it might appear that the Yugoslavian government acted irrationally and against all norms. Both the USSR and Yugoslavia were Communist countries fully dedicated to the ideals of Marx and Lenin. Both iterated an intense hatred for the capitalist, imperialist West. Both advocated a world-wide Communist ideology and brotherhood. Yet the two countries sharply separated in 1948; one controlled the Communist sphere of influence, the other found acceptance in the Western camp.

This abrupt, seemingly illogical split can be explained by examining two decisions made by the Yugoslavian government. The first decision came in 1948, the second in 1949. To Western powers both decisions appeared to have been made to reach the same end, i.e. to find favor with the obviously stronger and more correct camp, the West. To the Soviets, both decisions seemingly attempted to separate, then distance the two countries. In the process Yugoslavia turned her back to the Communist brotherhood and became a hapless pawn for imperialist kings.

Both are powerful arguments, but with a closer examination of the actual situation, primary players, and the world political structure of the time, a different argument can be made. This will be discussed in greater detail later, but first the fascinating story behind these two momentous decisions must be told.

Historical Analysis

The Decision in 1948

On April 12, 1948 the Komunisticka partija Jugoslavije Central Committee (the Communist party of Yugoslavia, KPJ) convened at the Old Palace in Belgrade's Dedinje section (Wilson 1979, 55). The primary purpose of the meeting was to formulate a response to Stalin's First Letter, a harsh correspondence containing accusations, threats, and demands concerning Yugoslavian loyalty, actions, and state goals. Tito's response posited a calm, collected reply, emphasizing shared ideology, equality and nationality. During the course of meeting's discussion, Edvard Kardelj, the second man in the Politburo,

determined that "our party contributed quite a few new elements to the treasury of Marx[ism]-Len[inism]. [We made a] contribution to the struggle against imp[erialism] in the international arena. We supported the USSR in a creative way" (Banac 1988, 118). The participants confirmed the government's commitment to the Communist agenda, but announced that other considerations had to take priority. As Tito firmly stated, "No matter how much some of us love the land of socialism, the USSR, he can, in no case, love his own country less, which also is building socialism" (Banac 1988, 118).

Stalin immediately issued his Second Letter, accusing the Yugoslavs, and Tito specifically, of equating the USSR with the imperialist great powers. He ridiculed the detailed achievements of the Yugoslavian government and proclaimed that no Communist government could come to power, or presume to stay in power, without Soviet military aid (Banac 1988, 123). He concluded by suggesting that the Yugoslavs present their case to the Communist Information Bureau, the Cominform, allowing all brother Communist states to hear both sides of the issue (Wilson 1979, 57).

Tito and Kardelj officially responded to Stalin's Second Letter, rejecting the possibility of any Cominform arbitration. They charged the USSR with assuring the conflict's outcome by lobbying other governments. They then reaffirmed their loyalty to socialism, the Soviet Union and Marxism-Leninism (Banac 1988, 124).

After receiving the third letter, Stalin and other leaders continued their attempt to persuade the Yugoslavs to attend the Cominform meeting. These efforts failed. When the official invitation arrived on June 10, 1948, Tito informed Cominform representatives that no Yugoslavian delegation would be present (Banac 1988, 125).

By choosing to not participate in this forum, Tito permitted several things to happen. First, by not allowing any type of official representation, the other Communist leaders were able to condemn all his actions, unilaterally. Their rationale assumed that since Tito chose not to defend his country's actions, he was obviously guilty of all Soviet charges, and was therefore a traitor to the Communist party.

Second, his refusal to participate in an official Communist forum cast considerable doubts about his sincerity in the Communist cause. The Communist camp quickly doubted his faithfulness and loyalty while the Western powers eagerly began courting Yugoslavia as a prospective ally. This obvious breach in the balance of power further destabilized the international system temporarily while Yugoslavia attempted to resituate itself in the world's structure.

Third, Yugoslavia's future course of action appeared precarious. By snubbing, insulting, and even openly opposing the Soviet Union, any attempts at future reconciliation would be extremely difficult, and conceivably achieved only through many conciliatory gestures, economic sacrifices, and political sacrifices. After beginning negotiations for a possible alignment with the West, Yugoslavia set itself in a dangerous position. The Soviet Union was a formidable foe, even for the United States. What chances could a small, militarily insignificant country have against a nuclear-endowed superpower?

During the Cominform, representatives from the other Communist governments formulated the Cominform Resolution. On June 28, 1948 the Western world received a tremendous shock when made aware of the conflict between two Communist governments. The accusations listed in the Resolution included anti-Sovietism, practical and ideological errors,

party departures from Leninist theory, a lack of intra-party democracy, and repeated refusals to accept criticism (Banac 1988, 125). The most serious charge, made in point eight, held that KPJ leaders "have placed themselves in opposition to the Communist parties within the Information Bureau, have taken the road of seceding from the united socialist from against imperialism, betraying the cause of international solidarity of the working people, and have taken a nationalist position" (Banac 1988, 125).

The Resolution issued a blanket condemnation, stating "The Information Bureau considers that, in view of all this, the KPJ CC has excluded itself and the KPJ from the family of fraternal Communist parties, the united Communist front, and consequently is outside the ranks of the Information Bureau" (Banac 1988, 125-126).

Needless to say, the international system changed dramatically, jolted from a relatively stable multipolar system into further chaos. Suddenly there was a small, but significant threat to one superpower's preeminence, which stunned both Western and Communist leaders.

The Decision in 1949

After almost one year of tense relations, the Yugoslavian government indicated its future direction with its action in a small area belonging to Italy. This decision further defined Tito's split with Stalin, and caused the Western powers to believe that soon Yugoslavia would be pursuing their agenda.

At the Paris Peace negotiations of 1946, the Yugoslavs had demanded the port and hinterland of Trieste, a demand resulting primarily from Soviet pressures. Under that Paris Peace Treaty in 1946, a Free Territory of Trieste (FTT) was constituted, to be administered by a Governor by the Security Council of the U.N. The Soviets had hoped to eventually render this plan unworkable, but even through 1949, an Anglo-American military occupation force continued to control the area under the FTT, along with increasing Italian participation (Wilson 1979, 85).

On 20 March 1949, to help the Italian Christian Democrat party in a crucial election, the US, British and French governments addressed a declaration to the Soviet and Yugoslav governments proposing that the whole FTT be given back to Italy (Wilson 1979, 85). Tito received the request; he found himself forced to follow either Soviet or Western demands.

This Tripartite Declaration pushed the Yugoslav leaders into a precarious position. Their strained diplomatic relations with the USSR forced them to realize that should they agree to the Declaration, their agreement might become a serious policy commitment to the West. Tito realized that by deciding to prioritize national interests above the Communist system of states, he would completely alienate the Soviet Union. Even with this realization, he decided that the best course of action would be to gradually change camps, easing out of the Communist structure into the Western camp, while optimizing Yugoslavia's current and potential position for Western aid.

The actual implementation of all points in the Declaration constituted a long, tedious series of diplomatic, economic and political maneuvers. The exchange concluded in October 1954 with the Italians receiving full control of the entire territory; Tito privately expressed great satisfaction with the outcome. The whole arrangement had been reached without Soviet participation or objection, Tito had demonstrated he was ready to stand up to his Western protectors for Yugoslavian national interests, and he had safeguarded Yugoslavia against any further effective

claim by the Italians (Wilson 1979, 90-91).

This historical recitation provides interesting details, but does not explain any of the reasons for the two implemented decisions. To fully understand the reasons for the two nations' split, other factors must be considered. Through detailed analyses of the leadership and governmental structure, as perceived by the international community, domestic opposition, and systemic influences, the two decisions are better understood on three other levels. Ultimately, however, an integrative attempt to combine the most important influences from all three areas will explain the decisions from one integrated level.

Leadership and Governmental Structure

When examining Yugoslavia's break with the Soviet Union and her subsequent conciliatory actions towards the West, including the voluntary relinquishment of Trieste, the prominence of two fundamentally important national actors arises: the players and their forum, the Yugoslavian governmental structure. The international system viewed these two actors as the dominant policy makers, and discounted the possibility of internal conflicts. Thus, from the international perspective, only the leadership and governmental structure influenced national foreign policy.

The primary national actors came from two opposing, yet cooperating, ideological groups, namely the "theoretical" group, led by Edvard Kardelj, Milovan Djilas, Boris Kidric, and Vladimir Bakaric, and the "pragmatic" group, led by Tito and Alexander-Leka Rankovic (Djilas 1980, 33-34). Tito occupied the dominant role, but Kardelj and Djilas also played significant roles in the decision-making process.

To better understand the processes of 1948 and 1949, the explanation and analysis

of the actors and the arena must be intertwined. To effectively analyze the situation, Tito and the governmental framework will be accorded primary attention, with minor emphasis on Kardelj and Djilas. The latter two actors' roles should not be considered subordinate to Tito's; each actor contributed greatly to the process.

Josip Broz-Tito

Thus the CPY was able, immediately after the liberation, to carry out the second highly important and difficult task: to complete the organization of new Yugoslavia as a state, but as a state of a new type—a true people's democracy, founded upon federal principles, with full equality for all the peoples of Yugoslavia. (Tito 1983, 121) So proclaimed Tito in June of 1948. But who was this curiously charismatic leader? Who was the great nationalistic statesman who challenged Stalin, and lived to see the rise and fall of both Stalin and his doctrine?

Josip Broz-Tito, the son of Croatian-Slovenian peasants, was born in 1892. He spent his first fifteen years in Kumrovec, an inconsequential Croatian village in the Austro-Hungarian empire. For the next three years he worked as a locksmith's apprentice until becoming a full-time Communist organizer. Tito spent the next six years wandering throughout the Empire, until 1913 when the Austrian Army demanded he fulfill his two year military commitment. During World War I, he gained the rank of a non-commissioned officer and fought with honor until he was captured by the Russians in 1916. He spent the next year in a Russian hospital, 500 miles east of Moscow. While in Russia, he became well versed in the Communist movement and its avowed hatred for all capitalistic, imperialistic powers.[1] After returning to Veliko Trojstvo, a Croatian

village, he became heavily involved with local Communist politics. He moved through the ranks, from the local, through the regional, and finally into the national level. Tito won membership in the Central Committee of the CPY in 1934. After a 1937 party purge (ordered by Stalin), he became secretary general (Djilas 1980, 27). Throughout the war he continued to lead the Communist party, playing a dominant role in the Partisan military resistance group (Djilas 1991, 92). In November 1943, Tito convened the second meeting of the Antifasisticko vece narodnog oslobodjenja Jugoslavije - AVNOJ (Antifascist Council for the National Liberation of Yugoslavia), a committee of communist and noncommunist Partisan representatives which acted as a Partisan political umbrella organization. This session built the basis for the postwar government of Yugoslavia, mandating four decisions:

1. The country would be reconstituted on a federal basis.

2. A national committee to act as a temporary government was elected.

3. Tito was name marshal and prime minister of Yugoslavia.

4. A declaration forbidding King Petar, the pre-war head of state, to return to the country until a popular referendum had been held on the status of the monarchy was issued. (Wilson 1979, 29)

The committee received full Western support for all four decisions primarily because the Western Allies believed the Partisans were the only Yugoslav resistance group opposing the Germans (Carter 1990, 23). Although Stalin was enraged by the committee's actions (Tito had conveniently

been unable to inform Stalin of the session before the fact), he had no choice but to support his Western allies, which translated into public support for Tito's power.

The communist party, headed by Tito, emerged from the war as the only viable Yugoslav leadership. A detail which seemed inconsequential at the time, but would later manifest tremendous ramifications, was the lack of major Soviet support and backing during the Partisans' victory over Nazi Germany (Carter 1990, 25).[2] On March 7, 1945 a single provisional Yugoslav government commenced with Tito as prime minister and war minister. On November 29, 1945 a newly elected constituent assembly dissolved the monarchy and established the Socialist Federal Republic of Yugoslavia.[3] Two months later a Soviet-style constitution which provided for a federation of six republics under a strong central government was adopted (Rusinow 1979, 16-17).

The constitution established a "rubber-stamp" Federal Assembly and a presidential council to administer the federal government. The economy was officially centralized, but in actuality, the free market system incorporated governmental controls. Tito headed the party, government and armed forces. His party functionaries oversaw the industries and supervised republic and local officials (Rusinow 1977, 16-17). As a result of the new governmental framework, Tito held uncontested control over the government, the Communist party, and the allegiance of the Yugoslav people.

The Yugoslav government remained essentially the same from 1948 to 1954. The major players remained constant, although a much more concrete ideological split between the theoretical and pragmatic group increased as the years progressed. The actors functioned within the constraints of the governmental framework. During the

early months of 1948, the actors worked within very strict limits, subordinating their actions to the parameters of each specific role. However, during the critical months of the 1948 decision-making process and then subsequent processes (including the process involving Trieste), each actor redefined his role, expanding his power base, and created new parameters for future decision making.[4]

As a leader, Tito was a curious enigma. He came from a decidedly humble background to become one of the most respected statesmen of the twentieth century. Yet he was not always the poised, self-controlled politician who calmly opposed Stalin. Often times he acted rashly, causing near disaster and chaos.[5] His actions followed no apparent consistency. Why did this man behave so inexplicably?

Tito succeeded in grasping and retaining political control because he was a gifted political performer. He lacked the education of an academic or military strategist. His knowledge was superficial, even his knowledge of Marxism. He studied the major works of Marx, Engels, Lenin, and Stalin, but was by no accounts a masterful theorist himself. His ability to quickly and somewhat accurately learn new languages aided him enormously, as he was able to directly communicate with the Russian, German, American, English, and French governments. He was also able to communicate with the various ethnic groups of Yugoslav directly, in their own language, although he often made serious grammatical mistakes (Djilas 1980, 10). However, each different ethnic group undoubtedly recognized his tremendous desire for acceptance and equality, manifested through his willingness to communicate in their language.

Tito's experiences in World War I served as his basis for future military leadership during the resistance movement.

He was not a profound military strategist, but his practical experiences gave him greater insight into the overall game of war. He accepted the horrors of war, the realities of army life, both as an officer and a "grunt," and the importance of the military organization. Because he knew the army from a common soldier's view, he recognized the importance of an integrated officer corp. During the Fourth Offensive of 1943, he personally carried out the regrouping of troops that secured the rescue of the injured and a German defeat at Vilica Guvno (Djilas 1980, 12-13 and 24). His actions commanded the respect of his men. He never passively oversaw any conflict, but rather he actively pursued means to achieve his desired end. His many experiences developed a refined institutional response to crises which would serve him well, time and time again.

Although his experiences taught him poise, self-containment, and a controlled leadership style, he often became fretful, easily agitated and would suddenly display expressions of intimacy and warmth towards his closest and most trusted comrades, especially during extremely stressful conflicts (Djilas 1980, 31). A bit of personal history and informal psychoanalysis can help explain Tito's curious character dichotomy.

During Tito's time as a laborer, he often operated machines. While working as a mechanic, he sliced off the tip of his left hand's index finger (Djilas 1980, 8). This lifelong mutilation served as a constant physical reminder of his humble origins and caused him to retain a strong mental imprint of his weaknesses. He aligned himself with the laboring class in much of his rhetoric, yet his latter lifestyle, which he constantly apologized for, was modeled after the flamboyant Latin American dictators (Djilas 1985, 61-62).[6] This inherent conflict between the shame he felt for his origins,

his pro-proletariate rhetoric, his lavish lifestyle, and obvious embarrassment for his material wealth, played heavily into Tito's psyche, especially during intensely stressful situations.

Even with the brief account of Tito as a man, one cannot fully comprehend his power unless his position within the governmental framework is examined. As the Partisan leader, Tito demanded near dictatorship control (Beloff 1985, 61-62). Since the war time setting accorded him such control, his influence over the AVNOJ can be accepted as significant. The AVNOJ set the basis for the post-war government, and a natural manifestation of Tito's war power was his control over the post-war government.

A transitional period between war and peace always allows greater latitude for a country's dominant leadership. The Communist party, the only viable contenders for power, granted Tito almost unlimited latitude for his policies and politics. Kardelj and Djilas offered ideological opposition, which eventually culminated in a public split between Tito and Djilas, but did not offer public dissent during the early post-war years (Lustig 1989, 101). Tito was thus able to easily move into the primary decision-making role of a legitimate government, with both Soviet and the Western Allies' approval. With Stalin's seemingly staunch support, and the Allies' temporary approval, Tito moved quickly to cement his dominance and build a strong power basis.

In 1947 the establishment of the Cominform (Communist Information Bureau) in Belgrade further strengthened the image that Yugoslavia was the strongest Soviet ally in Eastern Europe. This image was far from the truth since Stalin's primary motivation behind the creation was to increase the ability to manipulate the political, military, and economic sectors of

Eastern Europe to benefit the Soviet Union (Banac 1988, 26-7). Stalin's disapproval for greater Yugoslav independence created hidden resentment between the two countries, causing fledgling tensions which erupted in 1948. When the conflict came to the fore, Tito was in such a preeminent position that he was able to challenge Stalin directly and commandingly.

Domestic Influences

Yugoslavia was officially a closed Communist state governed by the Socialist Federal Republic. As the party and government commander, Tito's power and influence were not questioned. Even to this day, few contest Tito's power derived from his positions. But I question whether Tito truly held absolute power over his country's actions. His two right-hand men, Kardelj and Djilas, played important roles throughout the Communist party's history. They were present at the party's inception, they actively resisted the Nazis, and they joined together to fight Stalin. In fact, both were present when all important decisions were made, and played important roles during the decision making processes. Kardelj was a very intelligent, well-educated man. Djilas proved to be an eloquent author of prose, poetry and political speeches. Kardelj powered the Politburo as the second-in-command. Djilas acted as Tito's official speech writer for many years. I believe that these two men worked quietly behind the scenes to control all governmental decisions, using Tito as a front so that the international system would credit Tito and his government with international legitimacy. This legitimacy translated into national power which Djilas and Kardelj then used to further their own specific agendas. Tito merely played the part of a charismatic statesman to woo the West and repudiate the East.

Milovan Djilas

Milovan Djilas was born in 1911 into a Montenegrin clan. Djilas explained his class origins as growing up in "an environment of peasant civil servants, more peasant than anything else, like so many Montenegrin intellectuals of my generation" (Lustig 1989, 75). His father's generation encountered a difficult question, whether Montenegro would unite with Greater Serbia or remain independent, whereas Djilas' generation had to decide whether to side with the Nazis, the Fascists, the Communists, or the West (Lustig 1989, 76). At the age of seven, Djilas decided he was a Communist.[7]

While attending the University in Belgrade, he became actively involved in the student Communist movement. He was arrested and imprisoned after leading a protest over student elections (Lustig 1989, 87). His activities attracted the attention of Party leaders, including Tito, and after his imprisonment, he was contacted and persuaded to join the great Yugoslavic brotherhood. During the war, he continued working within the party, remaining a staunch supporter of Stalinist principles and ideologies. However, after the completion of the war, his way of thinking changed. Djilas envisioned a different type of world Communist order than did Stalin. He wanted to pursue a more democratic, socialistic ideology rather than accept Stalin's doctrines (Clissold 1983, 209). This was especially true once Stalin began concentrating completely on growth and development within the USSR. Djilas realized that should Yugoslavia follow Stalin's plan, eventually the country would be little more than a European colony for mother Russia (Pavlowitch 1971, 194). This idea was so unacceptable to Djilas that he convinced Tito to reject Stalin's policies and accept Western aid offers.

As an educated ideologue and theorist, Djilas better understood the ramifications of a political separation with Stalin. Tito viewed the proposed split as completely political in nature, having only ramifications for Yugoslavic economic, military, and agriculture systems. Djilas realized that the separation signified an ideological split that would result in a Western versus Eastern Communist ideology battle. Nevertheless, Djilas was willing to assume this new battle because he refused to accept Stalin's response to Yugoslavic national problems (Lustig 1989, 99-101).

As Tito's official speech writer, Djilas held tremendous power. So long as the overall content of a particular speech was acceptable, details were not that important to a very busy, non-ideologically driven man. Whereas for Djilas, an intellectual and political theorist, ideological details were everything (Sulzberger 1989, 80-81). The Party Central Committee ultimately expelled Djilas from both the party and the government in 1958 because he advocated a dissolution of the party (Carter 1990, 44). Until that point, his ideology crept into Tito's official statements. While Stalin was pursuing policies according to strict Communist policies, Tito began speaking about a new brand of Communism. This new movement was more of a socialistic and democratic governmental attempt to achieve Communism. Djilas personally promoted three issues:

1. Revolution in Yugoslavia had to be defended by more democracy.

2. Stalinist principles and policies were incorrect.

3. Dogmatism and opportunism were dangerous. (Lustig 1989, 101)

The government officially banned him for

promoting these three issues, but oddly enough, they bear a striking resemblance to Tito's policies and official statements made during 1948.[8]

Edvard Kardelj

Edvard Kardelj remained a staunch supporter of Tito until his death. Because he worked primarily behind the scenes supporting Tito, very little is actually documented about his influence and power. The information known and accepted as fact includes the following:

1. Kardelj wielded great power within the party and the government since he remained the highest ranking official, second only to Tito, for several decades (Clissold 1983, 312-313).

2. Kardelj came from a humble background and relative obscurity as a school teacher to great political prominence during the war. He understood well the plight of the common man and sympathized strongly with the laborers and other blue-collar workers (Rusinow 1977, 8).

3. Kardelj was Tito's intellectual superior, he was well versed in the Communist doctrine, and he supported the party emphatically throughout his life (Clissold 1983, 32-33).

4. Kardelj was Djilas' equal, both intellectually, economically, and socially, and the two shared a close working relatio nship during their time together in the Party (Djilas 1985, 162, 170).

As the second highest ranking official in the Party, Kardelj undoubtedly advised and guided Tito while serving in a position similar to that of a National Security Advisor. Since Kardelj was better versed in

political ideologies, it is easy to speculate that he, as did Djilas, better understood the ideological significance of the government's actions (Clissold 1983, 32). After the government decided to terminate relations with the USSR, Kardelj fashioned international and domestic policies. With this in mind, it must be accepted that Kardelj had to begin preliminary work with the Western powers to secure support and aid for his country. These negotiations must have begun several months prior to the actual separation. Once Kardelj invested so much time and interest into a possible future alliance with the West, he probably felt extremely committed to secure a Yugoslavian and Western alliance. Since he held great influence over Tito[9], he undoubtedly presented several national options, focusing on and strongly emphasizing the benefits of an alliance with the West.

Djilas also favored this option because of the national benefits he believed would come with the alliance. It is not unreasonable to believe that the two men coordinated their efforts to persuade Tito to accept the suggested alliance. Perhaps part of their persuasion involved presenting biased information, giving the West a new validity, conceiving a new brand of ideology which appealed to Tito, or even making decisions within their jurisdiction which forced Tito into a position where he could not reconcile his government with the USSR.[10] At this point in time, only speculative answers can be given, but it must be accepted that the two men greatly influenced the nation's behavior.

As the two men were far more involved with ordinary, day-to-day national problems, they understood the importance of Western aid much more than did Tito. Kardelj helped to quickly implement land collectivization programs in 1947, so he must have been very concerned with the

agriculture system. This system stood to receive invaluable technology and aid once an alliance with the West commenced. Djilas concerned himself with the political ideology of the country more than anything else, and this too would gain from a Western alliance. Since the West pursued policies of democracy and socialism[11], the leaders would more willingly accept Djilas's ideology, thus crediting him greater national legitimacy and power through acceptance of Yugoslavic international policies.

Other Domestic Forces

Although the major individual governmental actors wielded the greatest amount and influence, other domestic forces helped shape the international policies. It is well documented that a country suffering economic hardships will reject moderate politics in favor of wild solutions offered by extreme political groups (Carter 1990, 21).[12] The government was pressured by anyone involved, directly or indirectly, with the economic system. Additionally, the ethnic disunity throughout the country forced the government to actively pursue unifying policies so the country would not disintegrate.[13] The government understood that the economy must stabilize so the entire country would accept a specific ideology. When Tito's party first embraced Communism, they believed the ideology would unify the country into an international brotherhood, transcending all ethnic conflicts (Djilas 1985, 32). But realities set in after the war, and the government had to control inflation, unemployment and food shortages. Very quickly, the advantages of Western aid and the mandated free market system became attractive. Consequently, the government replaced ideology with economics to achieve national unification.

Systemic Influences

During 1948, the international system was a fluid, multi-polar system, although the United States and the USSR had begun moving into their superpower, polarized positions. Since there were still many countries sharing tremendous power and influence, a smaller, dependent and relatively powerless country would not be secure in that type of system. This insecurity forced the Yugoslavian government into a precarious position once the events of 1948 snowballed.

As a smaller, relatively unimportant country with a history of domination (eg. Austro-Hungarian empire), the many Yugoslavic ethnic groups were not unified and did not share particularly strong ties with other countries, with the notable exception of the pan-Slavic sentiments shared with USSR slavs.[14] The country was not geo-strategically important since it shared the Adriatic Sea with Italy. During World War II, the Allies demonstrated their preference when the Fascists in Italy took precedence over German-occupied Yugoslavia. Naturally, the West would use Italian ports rather than Yugoslavic ports. The rest of the country shared borders with Bulgaria, Romania, Hungary, and Austria. By 1948, the first four countries were firmly allied with Stalin's Communist party while Austria, an Allied-controlled country, maintained little contact with Yugoslavia (Beloff 1985, 148).

Before World War II, most of the country was neither modernized nor industrialized. After the war, the few industrialized sectors were completely destroyed. The agriculture system could not support all of the country, so the government relied heavily on economic and agriculture aid. Yugoslavia had a

substantial natural resource base, but it was not being maximized (Wilson 1979, 44-45).

National interests forced the government to find answers within the international system. The Yugoslavian government had to secure close ties with powers that could support the country with substantial amounts of aid. Also, once Stalin repudiated Yugoslavia's importance to the Communist order, the government was forced to reassess its standing among its Communist allies.

Yugoslavia's actions during 1948-49 can be partly explained by the systemic influences on the nation. Maurice A. East, a systemic expert, theorized that nations' actions directly result from systemic pressures exerted through the international community (East, 143). His theories help explain the inconceivable: why Stalin's disciples would abandon the Communistic world order and side with the "evil," capitalistic West.

Complexity

The complexity of the system directly affects a nation's actions. Two defining complexity characteristics to consider are:

1. The number and type of actors.
2. The number and type of issues.

In 1948, during the months leading to Tito's split with Stalin, the huge number of players flooded the international system. Since the system was still a fluid multi-polar system, many more actors held overinflated amounts of power relative to their capabilities.[15] Since there were so many international actors, the Yugoslavian government had to be much more concerned with its every action and the subsequent consequences. Also, the type of relationship between it and the various

other national governments had to be considered. To facilitate my analysis, I classified these relationships into three categories. The following is a list of the important countries in their respective categories.

1. Direct: USSR, Eastern European Communist Governments

2. Indirect: US, England, Italy, France

3. Off-shoot: Western European Countries, Mediterranean countries.

Direct Relationships

During the months immediately preceding the split, Tito and his high ranking officials were directly involved in all intra-Comintern negotiations (Djilas 1985, 199-204). This relationship dominated the government's foreign policy agenda since once they defined this relationship, their domestic agenda would be prioritized. That is, once they determined that Yugoslavia would not participate in Stalin's world Communist movement, the government abandoned its former strict Stalinist policies to pursue a moderate, Yugoslavian brand of Communism.[16] The direct relationship with other Eastern European counties, including Hungary and Romania, also changed. Instead of maintaining these countries as partners for economic ventures and political unity, Yugoslavia turned its attention to Western European Communist movements, especially in Greece (Pavlowitch 1971, 205).

Indirect Relationships

The Yugoslavian government communicated with the West during the critical months, but this relationship was not a primary concern to Tito until right before

the split. Nevertheless, these relationships were considered important because of possible ramifications for future alliances and aid.

The West primarily encouraged Tito's split by overlooking certain governmental practices it felt were unacceptable. Western aid was promised and even began arriving en masse prior to the split (Carter 1990, 27). The Allies hoped that if they offered aid and support to Tito, Yugoslavia would defect from Stalin's stronghold. By indirectly influencing Yugoslavia through promises of future aid and alliances, the West gave Tito the confidence he needed to terminate relations with Stalin.

Off-shoot Relationships

Yugoslavia's indirect relationship with the major Western powers dramatically affected its off-shoot relationships once negotiations for Western support began. While communicating with the major Western powers, Yugoslavia encountered opposition over its blatant attempts to foster and cultivate Western communist movements. The Allies made it clear that if Yugoslavia wanted aid, all open challenges to Western-styled governments must stop. Yugoslavia obliged, toning down their insurgent activities during the next few months (Wilson 1979, 63). Once allied with the West, Tito's aspirations for a Western Communist brotherhood vanished along with the open and strong support needed by the insurgent movements for survival. This effectively paralyzed the movements, abruptly halting the Western Communist march.

Number and Type of Issues

The dominant issue of the day was the Communist versus the Western style of government. Many other topics were discussed and negotiated, but ultimately every issue traced its resolution back to that one conflict. In this sense, the international system was less complex, since ideology replaced such things as nationalism, ethnicity, and neo-colonialism in importance. During 1948, several topics discussed, including national rebuilding plans, economic plans and future national security, fell into this quandary. Two of these issues had major ramifications on Yugoslavia's course of action. The question of occupational forces in Trieste and the Marshall Plan forced the government to chose between the West or the USSR. Tito realized that by cooperating with the West over the Trieste question, a more favorable aid package could be secured from the Marshall Plan. This decision required a rejection of the Communist order in favor of the Western capitalists. Since Tito realized that his decision would ultimately answer the question of where his true allegiance lay, his decision making-process was simplified. He could not view each decision as a single, independent decision with an endless possible number of consequences. Rather, he understood each decision to be an action which would logically lead to the next decision.[17] Ultimately, his decisions would culminate in a final pledge of allegiance to either the Western or Stalinist ideology.

Structure of Interaction

The structure of conflict during this critical time was strictly bi-polar. The USSR and Yugoslavia remained stringent centers around which the conflict revolved. This structure simplified the system tremendously since the other international actors were able to quickly determine their position within the conflict. The Eastern European countries aligned themselves with the USSR while the West emphatically

supported Yugoslavia. Since these other players did not wander from side to side, the national leaders were able to recognize and name their primary enemy, without diverting important resources to fight other insignificant players.[18]

Distribution of Resources

This aspect of the international system was very important in influencing Yugoslavia's actions. The East did not have an efficient, well-run resource distribution system. Even though the USSR had supported Yugoslavia with economic, military, and material aid, by 1948 the sources dried up. Since the governments had been receiving less from the Soviets, the leaders had begun national programs for self-sufficiency (Beloff 1985, 147). A collectivization land program began in 1947 to ease food shortages. Industrialization and modernization continued through private and Western foreign direct investment (Beloff 1985, 149). Basically, the leaders realized that if they were to achieve equal standing among world leaders, they needed new economic partners. For this reason, the Western capitalists became attractive allies. Evidence of the West's efficient resource distribution was abundant throughout Western occupied territory. Food shortages were easing back into relative abundance. New technology was imported from the United States, furthering rapid modernization. Shattered economies were slowly being pieced together with the Marshall Plan. When confronted with the option of a future working relationship with either the West or the East, it is very easy to understand Tito's sudden acceptance of the capitalist "pigs."

Degree of Organization

The international system was not highly organized since it was not yet a strict, bi-polar type. Rather, it was characterized by disunity and confusion. Each national actor was attempting to find their place within the new system. This confusion created a looser, less threatening environment for change since every country expected change. Although Yugoslavia's split with Stalin shocked the international system, many leaders expected dramatic changes during the transition from the post-World War II era into the new world order. It is understood that countries act in their best national interest, and for many, Yugoslavia's defection into the Western camp was little more than that.[19] The obvious gains Yugoslavia stood to reap caused many to credit the switch to reasons for national security as opposed to ideological reasons. The 1948 system willingly accepted this rationale since it was not very rigid. Had this same defection occurred a mere five years later, it is conceivable that a crackdown, similar to the response to the 1958 Hungarian rebellion, would have happened.

Integrative Attempts

Of the two presented decisions, the 1948 split between Yugoslavia and the USSR is the dominant action while the 1949 Trieste problem followed as a logical continuation. Since no action is truly isolated from the events leading up to and following it, the official separation must be considered as the central action, with the Trieste conflict as an off-shoot of the original problem.

Explanations for the conflicts have been offered at four different levels: historical, international, domestic and systemic. Each explanation provides excellent rationale for the decision, albeit purely one-dimensional. Since all four explanations are inseparably intertwined, the previously offered analysis does not sufficiently justify the conflicts' roots. Therefore, an integrative explanation must be presented.

Presented Hypotheses

Based on the presented analysis and information, I have devised three hypotheses which explain a mid-sized country's actions. So long as the country is a player in the international system, the following will apply.

1. If the international system is rigid, the country will form strong alliances with other nations. The country will attempt to find, and then maintain, a strong alliance with one of the dominant international system's players. Once it cements a strong alliance, the state's government will become less rigid since the international security level is high. This internal relaxation will allow more movement within the government by different players. The individual will be emphasized over the role.

Since this type of internal environment is conducive to change, roles will be re-defined according to the abilities and energies of the individual currently occupying that specific role. Additionally, a domestic multi-political party system will develop, although factions and extremists will not flourish. The international security affords greater national security, so the government will not feel threatened by the presence of several strong political parties.

2. Should the international system be flexible, the nation's government will pursue many alliances and friendships, but not for long term purposes. The government will approach the international system with a more pragmatic agenda. That is, the government will pursue policies that will best serve national interests at that specific time. The domestic system will become more stringent since the international system will not assure long term security. The government will have to compensate for that security by tightening domestic policies and restricting behavior that could hurt the nation. This will result in loss of diverse players moving throughout the government. The role will replace the individual in importance, although the individual will still influence the role. Because the government will be less secure, the top few leaders will actively work to cement their control, thereby shutting out weaker domestic opposition. The domestic scene will still be relatively free for those players already within it, but those on the government's periphery will be effectively shut out.

3. If the international system is chaotic, the nation will pursue isolationist policies to withdraw from the system. The domestic leadership will become authoritarian so that the country can be stabilized internally, thereby lessening the effects of a chaotic international system. There will be little movement within the government since those already within the structure will not voluntarily relinquish power. Control of the country will be held by only a few political elitists. The role will replace the individual completely because the individual will fear expulsion from the government, and therefore will not try to increase their power base or the parameters of their role.

Practical Explanation

The three presented hypotheses explain Yugoslavia's behavior at three

different times.

1. After 1948, the international system was a rigid bi-polar system.[20]

a. The rigidity permitted critics and dissenting governmental players to continue playing an active role in the government since the government did not fear national insecurity. The greatest example of this is the work of Djilas. From 1948-1953, he continually wrote critical essays, fictionalized fact, and opinions which charged the Party with abandoning the true socialist ideals. The Party did not respond officially until 1954 when he was put on trial. Tito and Kardelj launched an intensive attack, arguing that Djilas' primary sin was his call for the liquidation of the Communist League (Lustig 1989, 108). Djilas emphasized throughout his writings the necessity of immediately extending democracy so that socialism could be achieved. Tito and Kardelj emphatically rejected that idea because, as they understood the situation, the government depended on coercion to maintain its rule and carry out its social and political program. Kardelj went so far as to announce "We are forced to retain even in economic relations, let along in political life, certain elements of coercion in order to get away from the old and backward ways as soon as possible." Tito declared that to extend democracy to the bourgeoisie would lead "to anarchy, to a terrible uncertainty. . . . If we permitted this, in a year's time our Socialist reality would not exist: it would not exist, I tell you, without a bloody battle" (Lustig 1989, 108).

These are harsh accusations, yet Djilas' actions went unchecked for five years. The reason for the government's quick condemnation was the change within the international system. 1954 marked the year that the system moved from a rigid to a loose structure. Consequently, the head governmental leaders forced Djilas from

their ranks only after the international system had moved from the strict, rigid bi-polar system into a loose, changing bi-polar system. Until the international system changed, creating greater insecurity for a nation in the international arena, critics and dissenters like Djilas worked with relatively few constraints. However, once the system changed, so did the internal politics of the nation.

b. Greater freedom for change, including that of the specific governmental roles was permitted. Since the government was in a transition mode during this time, political actors were able to incorporate new power and influence into their roles. Especially since the government had just been established, the nation did not possess democratic traditions, and neither superpower truly dominated the country, the political actors were able to shape their role with very little effort.

c. A strong, multi-party political system flourished, although it existed within the Communist Party. Originally, this system was led by two dominant groups, the theoretical and pragmatists. Within the two groups were several fractionalized off-shoots, as well as multiple ethnically-powered political groups. This diversity continued until the government grew insecure in the international system and believed that, to remain powerful, it had to consolidate its power within current leaders.

2. The international system from 1946 to 1948 can be characterized as a loose multi-polar system since power was shared by many nations, without domination by a select one or two countries.

a. The national government followed stringent domestic policies due to the lack of international security. During these two years, the Communist party was unified with all high-level officials pursuing the same national agenda. Critics and dissenters outside of the "legitimate" government were

silenced, while those within the government were either muffled or forgot their criticism (Pavlowitch 1971, 201).

b. The role replaced the individual in importance, although the individual still influenced the power associated with the role. Tito's role as party and governmental president had set parameters and limitations which he could not challenge. This is because his role had direct contact with the international system and he could not take the chance of upsetting the system by trying to expand his power. Once the international system became more rigid, he had firm, committed international allies so he could re-define his role. However, until this happened, he had to work within the constraints of his role.

c. The few high-level governmental officials cemented their control. As a result of the international insecurity, high-ranking officials moved to close their ranks to condense all power into their hands. As the positioned leaders, they had a vested interest in preserving their power and control so that the nation would be unified and secure enough to withstand the international insecurity. This would happen only through a firm maintenance of control over the internal scene by the government (Clissold 1983, 201-202).

3. From 1941 to 1945 the international system was chaotic since the World War did not allow any type of security and the states maintained purely necessitated alliances.[21]

a. The Yugoslavic government was authoritarian during this time since it had to unify the country to fight the Germans. Necessity demanded that any means to expel the enemy be employed, so human rights and democratic ideals were not priority items for the government.

b. Within the resistance movement itself, which recognized itself as the only true government, role completely replaced the individual in importance. This was because the individual not only feared international instability, but also national instability so all actions had to be within the parameters of their role so that the government would not suspiciously watch their every action.

c. Once the resistance leaders seized power, they were reluctant to share power with other actors that were not deemed essential within the governmental framework. Consequently, few others were brought into the elite leadership; the small number of leaders already in power maintained complete control.

Conclusion

Within the field of foreign policy analysis, there exists a tremendous gulf between theory and country expertise. While many theorists have attempted to bridge this gulf, few have been successful. It is imperative that more work be done to integrate the two sectors of the field because one does not offer a thorough and viable explanation without the other. Although the presented analysis and theory is little more than an inexperienced attempt to combine the two sectors, within the presented information is a cause, an effect and a link between the two. This is the type of work which needs to be pursued so that the inexplicable may become comprehensible.

WORKS CITED

Banac, Ivo. 1988. *With Stalin against Tito: Cominformist splits in Yugoslav communism*. Ithaca: Cornell University Press.

Beloff, Nora. 1985. *Tito's flawed legacy*. Colorado: Westview Press

Carter, April. 1990. *Marshal Tito: A bibliography*. Westport: Meckler.

Clissold, Stephen. 1983. *Djilas: The progress of a revolutionary*. Middlesex: Maurice Temple Smith Ltd.

Djilas, Aleksa. 1991. *The contested country: Yugoslav unity and communist revolution, 1919-1953*. Cambridge: Harvard University Press.

Djilas, Milovan. 1980. *Tito: The story from inside*. Trans. Vasilije Kojic and Richard Hayes. Harcourt Brace Jovanovich.

---. 1985. *Rise and fall*. San Diego: Harcourt Brace Jovanovich.

East, Maurice A. 1978. *Why nations act*. Beverly Hills: Sage Publications.

Lustig, Michael M. 1989. *Trotsky and Djilas: Critics of communist bureaucracy*. New York: Greenwood Press.

Pavlowitch, Stevan K. 1971. *Yugoslavia*. New York: Praeger Publishers.

Rusinow, Dennison. 1977. *The Yugoslav experiment 1948-1974*. London: C. Hurst & Company.

Sulzberger, C.L. 1989. *Paradise regained: Memoir of a rebel*. New York: Praeger Publishers.

Tito, Josip Broz Tito. 1983. *The Yugoslav Road: CPY-LCY 1919-1980*. Belgrade: Socialist Thought and Practice. .

Wilson, Duncan. 1979. *Tito's Yugoslavia*. Cambridge: Cambridge University Press.

NOTES

1. Although he fought against Russia, Tito willingly gave his allegiance to the Russian Communist movement. He felt no conflict because Tsar Alexander II's capitalistic government led the country into World War II. So, in effect, Tito fought against an imperialistic, pro-Western government and not against his brother Communists.

2. The new government based its power on four sources of legitimacy, which are the following:
    1. Power per se.
    2. International recognition and legal continuity with the old Yugoslavia.
    3. The Partisan war as the national myth of political founding.
    4. Moscow's recognition as the legitimate proletariat protector (Rusinow 1977, 13).

The third source was unique because it was based on the government's own power, and not on the USSR's power. Ultimately, this power source gave the national government enough confidence to place its goals and objectives for the state ahead of the world-wide Communist goals advocated by Stalin.

3. The results of the election showed that 90% of the 74 million Yugoslav voters supported the single list presented by the People's Front. Although there were no presented opposing candidates, the voters could vote against the candidate (Rusinow 1977, 12-13).

4. In his book, Essence of Decision, Graham Allison used his organizational process model to explain how individual actors will create power. The actors will use any means available to expand their power base, cement their control, and further their role's parameters.

5. During Operation Weiss, and especially in the battle on the Neretva, in early 1943, Tito rashly changed orders and battle plans. His premature decision to destroy a bridge across the Neretva substantially impeded and complicated his troops withdrawal, endangering their survival (Djilas 1980, 12).

6. Djilas, and other officials, often criticized this excessiveness.

7. Djilas' godfather, Mihailo Vickovic, impressed him by the fact that "he was a Communist because he loved justice, like Christ", something which greatly appealed to his gentle nature (Lustig 1989, 84).

8. Once Tito declared the Soviet-Yugoslavian separation, he began speaking of a new road to socialism. He employed democratic rhetoric, praising some Western ideals, while denouncing Stalinist Communism.

9. This relationship parallels that shared by Nixon and Kissinger throughout the Nixon administrations. At times it was difficult for policy experts to determine which man was actually leading the country because of Kissinger's active and dominating presence within national and international policy making.

10. Part of Graham Allison's organizational process model explains how individual actors, below the highest officials, will manipulate, change or even fabricate information. This effectively makes subordinate actors the true policy makers since their agenda is followed because of presented information.

11. Many would disagree with this statement, but consider the United States' President Franklin D. Roosevelt and his programs created by the New Deal. For the first time, Americans paid an income tax and collected welfare benefits. Both economic programs must

be accepted as socialistic in nature.

12. The classic example of this is Germany and the Weimar Republic. While Tito's government was not necessarily moderate (as defined from a United States' perspective), the actual national and international policies pursued by the government were indeed moderate, Even the "shocking" land collectivization programs were not that different from the United States' distribution of Japanese land during MacArthur's reign.

13. The unification of Yugoslavia was a tremendous task for any government. Especially when considering the current Yugoslavic situation, it is amazing that any government managed to unify, and preserve this unity, for more than thirty five years.

14. The pan-Slavic sentiments which helped bring Russia into World War I remained through this point. Ethnicity transcended geographical lines once calls for Slavic brotherhood and unity began.

15. Consider the power granted to France compared to her actual capabilities. No reasonable or logical explanation exists for de Gaulle's equal standing among Roosevelt, Truman, Stalin, and Churchill. Since the victorious powers, primarily the United States and Great Britain, voluntarily credited De Gaulle (and others) with power because of anti-fascist programs during the war, the international power scene was far from reflecting reality. Partial reality, relative to actual power capabilities, set in only with the commencement of the bi-polar structure.

16. This new form of communism became a type of socialism intertwined with democracy. Many other Western European countries grasped some of the Yugoslav-promoted government ideals and implemented them into their own government. For example, France's quick entry into socialistic practices can be traced to Yugoslavic influences.

17. B. Sundelius, a country expert theorist, maintains that a nation's memory, i.e. an inherent memory mechanism which links all national actions together, must be considered when explaining any type of national action.

18. V. Hudson, et al. theorize that determining a government's primary internal opposition must occur so that the international system may more clearly understand the conflict. Since the 1948 conflict was initially viewed as a conflict within the Soviet system, this theory explains why other nations had to determine whether Tito's insurgent movement was really valid.

19. Hans Morganthau, as a representative of realism, would offer this explanation of the conflict.

20. The two superpowers had cemented their alliances by this time and their respective power and influence. The North Atlantic Treaty Organization (NATO) commenced in 1948-49, while the Warsaw Pact was born in 1955. The Marshall Plan had incorporated most of Western Europe, excluding Eastern Europe at Stalin's insistence. After the United States "lost" China in 1950, ideology replaced all other issues in importance. Once this happened, every national government had to pledge complete allegiance to either the United States or

the USSR. There was no way to remain in both camps.

21. For example, the alliance between Stalin and Hitler was not made for any reason other than short-term national interest. The same can be said for the relationship between the Allies and Stalin. Obviously, the wartime system did not contain inherent stability and long-term allies.

Unhealed Wounds: Japan's Colonization of Korea

Aaron Skabelund

Introduction

Second only to English, Japanese is the language most studied by Korean students. Cultural and intellectual exchanges between South Korea and Japan, separated by only the narrow Korean Strait, are wide and varied. Business is brisk between Japan, the world's second largest economy, and South Korea, a rising industrial power. In fact, Japan is South Korea's largest source of imports with 29% of all imports in 1990, and the South's second largest export market with 21% of all exports in 1990 (Bridges 1992, 155). Despite the existence of the usual trade imbalance in Japan's favor, business and trade relations are healthy. The two nations are also linked in a security relationship via the United States, and both have urged the United States to stay in Asia as a stabilizing influence to balance China's rising power, and especially to temper North Korea's new nuclear threat. Looking at these cultural, geographical, economic, and security relationships between South Korea and Japan, one might be led to think that these two countries have a cozy and solid relationship. However, history haunts Korea and Japan.

Japan's colonization of Korea from 1910 to 1945 is the primary cause of this historical legacy. Despite the tight cultural and economic links, deep distrust is the still the rule, not the exception, between the two countries. For example, "[O]n the South Korean side, Japan is usually placed as the next most disliked country after North Korea" (153).

Many other former colonies of European imperialist powers have long since forgiven, if not forgotten, the wrongs they had to endure at the hands of their former colonizers. Was there something unique about the colonization of Korea by Japan? If so, what? Also, why have the political wounds been so slow to heal between South Korea and Japan? Will these bitter wounds undermine the security alliance against the rising nuclear threat of North Korea?

This paper will seek to answer these questions. It will also examine how the change of power in Japan from the Liberal Democratic Party (LDP) to the coalition government led by Morihiro Hosokawa has affected Japan's political relationship with South Korea.

When examining the history and current situation, the significant role of Japan is evident in causing the original problems and not taking the necessary steps since then to lessen the level of distrust. Although South Korea is not free from criticism, this paper will concentrate on Japan's role in the development of the political relationship with South Korea. A detailed examination of Japan-North Korean relations will be bypassed here except for its current influence on the Japan-South Korean political relationship, because North Korea's relations with Japan have been plagued by communism's influence as well as the colonial legacy.

History

Japan's efforts to invade Korea were not isolated to the modern era. In the late 1500s, Japan's ruler, Hideyoshi, led an invasion to take Korea, but he was unsuccessful. Even today, this "invasion has been emphasized in the historic memories of the Koreans and still contributes to the

bitterness between them and the Japanese" (Reischauer 1990, 65). However, during the Tokugawa period from the early 1600s to the mid-1800s, Japan maintained good relations with the "hermit kingdom," as Korea was sometimes called. Also, Japan continued trading with Korea despite the Tokugawa policy of isolationism that meant a ban on almost all trade and contact.

Soon after the Meiji restoration in 1868, Japan contemplated an invasion of Korea, but it was rejected in favor of strengthening the new government and the nation. The chief proponent of the invasion was Saigo Takamori, a samurai of samurais, who was so enthusiastic about the invasion that he offered himself to be assassinated in order to provide an excuse for the aggression. Although the Meiji oligarchs were hesitant about an immediate invasion of Korea, they were confident enough to force Korea out of isolation and into an unequal treaty in the same manner that had been dealt to them by Matthew C. Perry. This action caused the beginning of a series of showdowns between Japan and China, and then Japan and Russia for control of the "hermit kingdom."

Japan came out the winner in 1905, after defeating Russia to secure international recognition of its supremacy in Korea. Korea's fate was then completely sealed by the Taft-Katsura Agreement with the United States. It gave the United States free reign in Philippines while "acknowledg[ing] Japan's right to take appropriate measures for the 'guidance, control, and protection' of Korea" (Eckert, 238-39).

Japan immediately began to take control of Korea that year. It forced Korea to sign the Protectorate Treaty, which gave Japan absolute authority to take "control and direct the foreign relations and affairs of Korea" by placing a Japanese resident-general just below the Korean emperor (McKenzie 1969, 309). In 1907 the

emperor, Kojong, was tricked into relinquishing the throne to his son, and by 1910 the Japanese had enough power to coerce the son to resign and allow Japan to annex Korea. Thus, the sovereignty of Korea was gradually weakened by the imperialist rivalries among the surrounding countries, and then it was systematically demolished by Japan.

There are three distinct factors that were unique about the colonization of Korea by Japan, as compared with other colonial situations. First, Korea was an established state with a monarchy that had reigned for hundreds of years before its unquestioned sovereignty was destroyed by Japan. Second, Japan and its colony were closely related by geography and culture. Third, the colonization was marked by the usual intensity and harshness politically, but there was also an effort made to destroy Korea culturally through forced assimilation. Although each of these may not be entirely unique as compared with other colonial situations, the combination of the three made the colonial experience especially severe for the Korean people and is part of the reason why it remains an issue even today.

Demolition of a Longtime Sovereign State

In contrast to many Western imperial powers, Japan began its colonizing late. Thus, when it took over Korea in 1910, the Japanese:

> did not have the luxury of carving out an artificial state entity in a political vacuum. They had to establish their control over an ancient state and society with a long historical experience and high degree of racial, ethnic, cultural, and linguistic homogeneity. More-over, responding to external pressures, Korea had already begun the process of transforming its traditional institutions, and in consequence the annexation disrupted the indigenous polit-ical movement to create a modern Korean nation-state. (Eckert 1990, 256)

Because of these well-established institutions and traditions, Korea's opposition to the takeover was stiff for the entire occupation. This gave Japan the option to either try to crush the resistance or assimilate the Koreans. They tried both approaches, and both produced frightening results for the Koreans.

Geographic Proximity and Cultural Contiguity

Japan was able to take over not via a bloody invasion in a distant land but through a series of quietly coercive treaties with a neighbor. Unlike most colonized countries that are thousands of miles from the imperial power, Korea is located only about one hundred miles from the Japanese island of Kyushu. This geographic proximity prompted Japan, which saw outside dominance of Korea as "a dagger pointing at Japan's heart," to take over its neighbor (Bridges 1993, 8); and because of this proximity, Japan was able to completely dominate and integrate Korea into its economic and political system.

The Japanese colonization of Korea is also unique because it is one of the rare examples of non-European colonialism in modern times. Not only was Japan a non-European country, it was a close neighbor and was still a developing country. These factors combined to make Japan's policies (regarding Korea as well as Manchuria) unlike those of the more developed, distant Britain. Thus Japan's "control and use of its colonies were much more extensive, thorough, and systematic; the economic structure of the colonies had to undergo radical and brutal transformation tied to the needs of rapidly growing Japan" (Woo 1991, 21).

This meant exploitation. Japan first exploited Korea as a "rice basket" and then as a source for natural and human resources.

By "the land owned by the Japanese . . . amounted to . . . about 60 percent of the arable land" (Chan 1977, 54). Hundreds of thousands of Japanese moved across the Korea Strait to administer the colony, and "as many as 4,000,000 people, an astonishing 16 percent of the Korean population was living" either in Japan or in other parts of the Japanese empire (such as Manchuria and Sakhalin) by 1944 (Eckert 1990, 322). These four million Koreans were mostly laborers, but they also included "comfort women," young women who were forced by the Japanese Imperial Army through kidnapping or trickery to become prostitutes.

Cultural contiguity combined with geographic proximity to deepen the wounds. Japan and Korea, both recipients of Chinese cultural influences, had many cultural similarities. There is something uniquely unsettling about being conquered by your neighbor and then being ruthlessly exploited by that nation.

Political and cultural repression

Japan's exploitation of Korea was complete. It extended from economic to political and cultural repression. Traditional government in Korea had been somewhat decentralized, but with Japanese rule came increased centralization; even the most local "trivial matters became issues of public concern" (258). Also, "Japanese control was as total as it was brutal . . . ; the Japanese tried to crush the Korean national identity" (Bridges 1990, 153). Political repression was constant during the entire colonial reign. By 1941, there was a combined Japanese-managed, Korean-staffed police force "of over 60,000 . . . [that] represented one policeman for every four hundred Koreans" (Eckert 1990, 259). From the beginning in 1910, "[T]he right of assembly and of free speech were abolished; the

holding of non-political public meetings and the gathering of crowds out-of-doors were also prohibited except for religious gatherings or school excursions" (Ku 1985, 11).

Repression spread even to religion and education. The Japanese used "State Shinto or nationalistic Shinto ideology" as a "so-called peaceful offensive" in Korea (Palmer 1977, 141). Japanese was established as the national language in Korean schools, as was a Japanese dictated curriculum. This "provided a mechanism . . . to legitimate Japanese rule" and spread Japanese [M]orals education, the Japanization of Korean history and culture, . . . the Japanese language and values that subtly eroded Korean cultural identity and confidence" (Eckert 1990, 262-63). In 1939, the Japanese passed an edict that strongly pressured all Koreans to change their names to Japanese-style surnames and given names. By the end of the war, "over eighty-four percent of the population complied with this cruelly insensitive edict" (318). In this way, because the Japanese chose to obfuscate their policies with the rhetoric of benign assimilation [the policies were] subtly confusing and psychologically damaging. To have cast off one's primary identify for that of the colonizer demeaned Korean culture in a profound way. It was, at bottom, a harsh and brutal system of colonial rule. (319)

Contemporary Review of the Problem

The colonial period ended nearly forty-eight years ago with Japan's defeat in the Second World War. Almost thirty years ago, in 1965, Japan and Korea signed a treaty that normalized relations. The treaty was adamantly opposed by many in both countries. With the treaty, Japan and South Korea legally settled all war claims. At that time, Japan provided "South Korea with a total of 300 million dollars in grants, and

200 million dollars in low-interest loans, while South Korea waived further claims for war damages" (Mainichi, 30 August 1992). So why is the colonial era still a political issue between Japan and Korea? Of course, history still lingers—the brutality inflicted by a neighbor does not dissipate quickly. The 1965 treaty "included neither a formal apology or a reparation clause" to account for the colonial wrongs committed (Bridges 1993,11). There are also fears that Japan's latest rise to power— economically— threatens Korea and the rest of Asia with a new kind of imperialism. However, there are two more important contemporary problems that exist. Both are connected, like the fears of economic imperialism, to the colonial period. First is the treatment of Japan's largest minority population, Koreans. Second is the denial of the Japanese government of wrong doing in its aggression against Asia, and in particular its colonization of Korea, in the first half of the century.

Koreans in Japan

According to the Japan Ministry of Justice statistics, Koreans in Japan now number about 680,000 (Hoffman 1991, 480), and they continue to be a sore spot between Korea and Japan. These are Koreans who chose not to return home after the war. They are "[g]eographically concentrated . . . and economically restricted, they suffer from a number of societal and legal disadvantages" (Bridges 1992, 157).

The Koreans in Japan have continually been the victims of official and unofficial discrimination. As part of Japan's "benign assimilation," they were considered Japanese nationals during the colonial period, but like their fellow-Koreans on the peninsula, they found Japanese promises empty and life hard. After the Great Kanto

Earthquake of 1923 that destroyed Tokyo, they were the victims, along with Chinese and socialists, of mob violence. It is estimated that some six-thousand Koreans were massacred in the days after the earthquake (Mainichi, 1 September 1993).

While usually not so violent, discrimination against Koreans has remained government policy and is often backed by popular feelings. Both are starting to change. Michael Weiner wrote in 1989, before the changes began to take place:

Although the vast majority were born in Japan and speak Japanese as their first language, relatively few possess Japanese citizenship. Most are classified by the Ministry of Justice as aliens, and Koreans compose more than 85% of the total foreign resident population. This limits their legal rights in the broadest sense. (1)

In 1988, during Prime Minster Toshiki Kaifu's visit to Korea, the Japanese finally "agreed to replace the alien registration system for Korean residents with a family registration system by 1992" (Bridges 1992, 157). The most controversial step of the previous system, the requirement for all Japanese-Koreans to be finger-printed, was finally dropped for most. But there is still deep criticism that the new laws are only cosmetic (Mainichi, 31 May 92).

The Japanese government has been making progress on the Korean-Japanese issue, but such criticism shows that it will continue to be a source of controversy that brings back colonial-era memories. Other complaints include those about Koreans deserted on the Russian-held island of Sakhalin who are unable to return due to political differences in the area (Mainichi, 23 December 1990); Korean victims of the A-bombs dropped at the end of the war, who have received almost no financial compensation from the Japanese government compared to Japanese victims; and for the Korean women forced into prostitution for Japanese soldiers during the war (Bridges

1993, 131-133). Also, although there have been some substantive legal changes made lately to end discrimination, the attitudes of the Japanese public still lag far behind.

Japanese denial

In 1991, a group of elderly women came forward after a half a century to tell of being "forced to serve as 'comfort women,' the euphemistic term used by Imperial Japan" (Jones, 11 March 1993). This was just another incident in a series that showed how slow the wounds were to heal. The Japanese had a history of censoring what was published in the nation's textbooks. Examples of propaganda in Education Ministry approved textbooks have raised controversy, such as "references to 'anti-Japanese resistance' in Korea be[ing] changed to difficulties in obtaining 'the Korean people's cooperation'" (Anger, 27 May 1993). Also the Korean leader in 1989, Roh Tee-woo refused to attend the funeral of Japan's wartime emperor, Hirohito (Fararo, 18 February 1989).

In the early nineties, the Japanese tried to apologize, but at the same time continued to deny that the army had actually coerced the Korean and other Asian women into sex-slavery. The LDP, which had ruled Japan for over thirty years, seemed to have no desire to dig up old dirt. Its apologies, including those made by Akihito, the new emperor and Hirohito's son, in 1991, and by Prime Minister Miyazawa in January 1992, were undermined by the fact that it had taken so long to face up to Japan's war guilt and the apologies themselves were vague and indirect. Even after Miyazawa admitted that Japan had used "comfort women" he continued to deny the use of force. This evoked bitter reactions in South Korea, who questioned "whether Japan is willing

to come to grips with its past, and whether it can gain enough trust from its neighbors to take a greater leadership role in the world" (Blustein, 10 July 1992). Pressure to apologize in Japan rose as well. Asahi Shinbun, Japan's second largest newspaper after the Mainichi, blasted the government, declaring that:This is the time to squarely face our troubled past blemishes . . . . Otherwise, we will be repeating an undesirable practice in Japanese diplomacy—taking piecemeal measures only when pressed. It will be impossible to fraternize with other Asian nations as an ordinary country without expressing our genuinely national contrition" (13). Nevertheless, Miyazawa only admitted to "coercive action" on his final day in office.

Change

The coalition government that forced out the LDP for the first time in over thirty years is headed up by Morihiro Hosokawa. From the start, the new government made it clear that it would act decisively without being pressed. In a series of remarkable statements that even went too far for some within the coalition, Hosokawa apologized again and again in a "simple and straightforward" way uncharacteristic of the LDP (Bussy, 16 August 1993). He called the Second World War "a war of aggression" (Jones, 13 August 93) and added in a statement to the Diet that he "would like to take this opportunity to express our profound remorse and apologies for the fact that Japan's actions, including acts of aggression and colonial rule, caused unbearable suffering and sorrow for so many people" (Reid, 24 August 1993).

The new government also seems set to be more open about the past in the schools. Hosokawa's foreign minister, Tsutomu Hata, stated that "We should tell our children what their forefathers did in waging war on the Asian continent" (Schlesinger, 5 August 1993). The government signaled its seriousness to put its words into actions quickly "when only four members of the new cabinet attended annual ceremonies at Yasukuni shrine in Tokyo to pay respects to Japan's war dead. In 1992, when the LDP controlled the government, 15 cabinet members attended" and in 1985, LDP Prime Minister Yasuhiro Nakasone even attended, which brought a wave of criticism from Korea and other countries (Bussy, 16 August 1993). In this way, the coalition government is taking steps toward warmer political relations with Korea that match their strong economic ties. Korea, who has always privately given business ties priority while publicly supporting its victims (such as the "comfort women"), seems to have little to gain from continued bitterness. However, the Japanese government must continue to match its words with the appropriate actions in such areas as textbooks about the colonial period and compensation for the former "comfort women."

North Korea

Hosokawa and the new coalition government's efforts to mend relations with South Korea is also a response to the role of a third player, North Korea. Primarily because of ideology and security arrangements, and secondarily because it is further hampered by colonial memories, Japan and the North have never been able to establish relations. Several times the North Koreans have met low-level Japanese officials and made attempts toward relations, but they have been unsuccessful partly due the insistence of the North, and the South, on an "either/or" type of policy. This means that if Japan establishes relations with the North, it must drop its relations with the

South. There is no chance that Japan will do this. However, North Korea's efforts to develop nuclear weapons may test the tenuous political relationship of South Korea and Japan. This may be in part be why Hosokawa is diligently seeking to resolve lingering South Korean grievances.

Most likely the South Korean-Japanese alliance will hold strong, backed by the military might of the United States. However, there may still be problems that have their roots in the colonial period. The Koreans in Japan are far from united in their support for the South in the duel over the Korean peninsula. There is considerable support for Kim Il Sung and considerable illegal trade and money-laundering between the Korean-Japanese and the North. Money generated from this trade "has allowed the bankrupt North Korean government to build its huge nuclear weapons complex" (Sanger, 1 November 1993).

As the nuclear facility inspection crisis heated up in early 1994, it was revealed that old Russian attack submarines were being sold to the North via a Japanese company owned by a Korean-Japanese (Sanger, 20 January 1994). However, Japanese officials are unenthusiastic about cracking down on the exchange of money between Korean-Japanese and the North (especially the estimated $600 million to $2 billion supplied to family members and government officials), or participation in an embargo that would have the same effect. The Japanese are "worried about causing . . . 'an eruption'—perhaps including riots or terrorism—among the roughly 150,000 Koreans [later estimated at 300,000] in Japan who are sympathetic to Mr. Kim's Government" (Sanger, 1 November 1993 [20 January 1994]). Such incidents would certainly worsen Japan's already poor relations with Koreans in Japan and also with a concerned South Korea. Resolution of this domestic problem, in order to meet

decisively and wisely with the North Korean threat, requires that the Japanese government work closely with the South Korean government and the United States.

Conclusion

Two of the historical factors that make the colonial period unique, the violation of Korea's long held sovereignty and the proximity and contiguity of the two countries geographically and culturally, are both products of situation, uncontrolled by individuals or states. The imperialist drive was an international tendency of the time that may have influenced the rising Japan (looking for new markets to keep the Meiji industrial revolution rolling) to crush Korea politically and economically. However, Japanese imperialism into Asia was initiated by a shift in government policy that changed the emphasis from internal modernization and industrialization to external expansion to aid continued industrialization. Using the favored vehicle of the era, Japan adapted imperialism backed by militarism. The almost complete cultural repression was a government-led policy.

Japan was forced to open itself up to outside influences with the Meiji restoration. Then, as its industrial strength increased due to adaptation and hard work, its confidence grew and it sought expansion to foreign markets and looked to become an international power. The post-war period has brought what many believe is a repeat of that cycle in a new world system. Japan's economic influence has expanded across the world. It is now looking to become a world political power. This has been initiated once again by a shift in government policy, this time due to an upset election that brought in a new generation of younger, more internationally-oriented leaders. Hosokawa is seeking to change decades of LDP foreign (and domestic) policy. Japan is looking to

mend relations with South Korea (and other Asian nations) so that Japan can once again become a regional and world political power. This time the means are not imperialism and colonial exploitation, but internationalism (great power politics) and economic opportunism. The results are different as well; now there is foreign aid, financial compensation, and apologies.

For Japan to deal effectively with regional challenges of the present, Japan must face up to the past. In order to meet the security challenges of the North Korean nuclear threat, the Hosokawa-led coalition government must continue to build stronger relations with South Korea. Japan has maintained that the 1965 treaty legally provided for all compensation to South Korea. Yet to symbolically, psychologically, and politically heal the wounds and lead a reluctant Japanese public to recognition of its past wrongs and an end to current prejudices, the Government needs to continue take positive steps. Such steps as

direct monetary compensation for the "comfort women"" (who continue to protest in front of the Japanese embassy in Seoul in early 1994 [Associated Press, 27 January 1994]) and other groups such as the A-bomb victims, completely fair treatment of the Korean minority, and continued sincere signs of Japanese contrition and recognition of its past colonial policies are needed in order to strengthen the relationship between the two countries. If Japan continues to make progress in these areas, then South Korea will have no excuse but to forgive if not forget. While it may be well for the Koreans to not entirely forget Japanese aggression, it would be beneficial for both countries if Korea stopped perceiving Japan as its former colonial master, and thus a current economic imperialist threat, and instead saw Japan as a partner in maintaining regional security and as a valuable trading partner. Only then will the colonial memories stop haunting Japan and South Korea.

WORKS CITED

Anger, David E. 1993. History, even if It's not very pretty. *New* York Times, May 27, 5(A).

Blustein, Paul. 1992. New Clash over 'Comfort Women'" *Washington* Post, July 10, 13(A).

Bridges, Brian. 1992. Japan and Korea: Closer neighbors?" *Asian* Affairs. 79:153-60.

Bussy, John and Michael Williams. 1993. New leadership makes Japan rethink war. *Wall* Street Journal, August 16, 10(A).

Chank, Yun-shik. 1977. Planned economic transformation and population change. *Korea's* Response to Japan. Kalamazoo:Western Michigan University.

Editor. 1993. Korean's demand apology for 1923 massacre. *Mainchi Newspaper*. September 1.

_____. 1992. 369 Koreans sue government for 10.5 billion Yen. *Mainchi Newspaper*. 30 August.

Eckert, Carter J., Ed. 1990. *Korea Old and New*. Seoul:Ilchochak.

Fararo, Kim. 1989. Trade wins in Korea's love-hate due to Japan. *Japan Economic Journal*. February 18. Tokyo:Japan Economic Journal.

Hoffman, Diane. 1981. Changing faces, changing Places: The new Koreans in Japan. Japan Quarterly. Berkeley:University of California.

Jones, Clayton. 1993. Japan looks into 'Comfort Women' charges to save Face. *Christian Science Monitor*. March 11, 7.

_____. 1993. Japan's new leadership begins with atonement. *Christian Science Monitor*. August 13, 1.

Ku, Dae-yeol. 1985. Korea under colonization. *The March First Movement and Anglo-Japanese relations*. Seoul:Seoul Community Press.

McKenzie. F.A. 1974: *The Tragedy of Korea*. New York:E.P. Dutton and Co.

Palmer, Spencer J. 1977. *Korea's Response to Japan: The Colonial Period 1910-1945*. Publication of the Center for Korean Studies, ed. C. I. Eugene Kim and Doretha E. Mortimore. Kalamazoo: Western Michigan University.

Reid, T. R. 1993. "New Japanese leader begins policy changes." *Wall Street Journal* 24 August, (12)A.

Reischauer, Edwin O. 1990. *The Japanese Today: Change and Continuity*. Tokyo: Charles E. Tuttle.

Sanger, David E. 1993. North Korea is collecting millions from Koreans who live in Japan." *New York Times*, 1 November, l(A) and 4(A).

Schlesinger, Jacob M. 1993. "Japan admits to forced prostitution during the war." *Wall Street Journal* 5 August, 4(A).

Weiner, Michael. 1989. *The origins of the Korean community in Japan, 1910-1920*. Atlantic Highlands: Humanities Press.

Divining Peace From Political Terrorism in Mozambique: A Case for Negotiating With Terrorists

Kevin Ellsworth

Introduction

Counter-terrorist efforts frequently entail the narrow policy options of repression, violent confrontation, and retaliation. The United States' "no deals" policy (Busby 1990, 1), for example, has long been widely accepted and praised. Often, however, these tactics are ineffective and even detrimental to peace-making efforts. Consequently, broader counter-terrorism strategies must be considered which include concession and negotiation. Mozambique's recent peace process and several new theoretical frameworks support the thesis that negotiation and concession are effective means of divining peace from political terrorism.

After a review of the relevant literature, I expose the limits of the traditional anti-terrorist approach by discussing first the weaknesses inherent in defining terrorism--weaknesses which tend to prevent an effective resolution by imposing narrow policy choices which exclude concession and negotiation. Second, I introduce Mozambique's terrorist organization, Renamo, and demonstrate that it fulfills all facets of terrorism's traditional definitions. Third, I demonstrate that in spite of Renamo's terrorist character, negotiation and concession have established a peace which repression and retaliation never provided. Finally, I review two conflict resolution theories which when applied to counter-terrorism encourage concession over repression and help explain Mozambique's successful peace process.

Literature Review

A vast amount of literature is available concerning terrorism and its contributing factors, especially by Jeffrey Ross (1993) who synthesizes most previous work on causal approaches to terrorism. Substantial writings are also available which attempt to define terrorism and document its occurrences. Research is lacking, however, which addresses negotiating with terrorist organizations. Almost universally, scholars and politicians prescribe a hard-line approach of preemption, repression, violent confrontation, and sometimes retaliation when confronting terrorist organizations. Available research regarding negotiations deals primarily with isolated terrorist incidents such as hijackings, kidnappings, and hostage situations (Atkinson, Sandler and Tschirhart 1987; Ochberg 1985; Roukis 1983; and Zartman 1990). Such negotiations do not address the terrorist organization as a whole or the possibility of a lasting peace.

These studies are useful when applied in some situations, but they do not deal with resolving the deeper ills of terrorism. The hard-line approach is effective when dealing with smaller, manageable cases of terrorism, but many nations are confronting terrorism on a much grander scale, a scale which calls for a different approach. The hard-line approach is ineffective and detrimental in third world nations where governments have neither the military resources nor political capital to address terrorism in the hard-line fashion, such as in Peru, Sri Lanka, and Mozambique, or in first world nations

confronted by well armed and organized terrorist organizations, as in the United Kingdom, Italy, and Israel.

Literature regarding political violence in general is abundant, but terrorism is something of a unique breed which has not been sufficiently addressed. Terrorism's perceived immoral component has encouraged anti-terrorist policy to bypass relevant conflict resolution analysis, causing governments to sometimes wage losing battles rather than seek peace through compromise and negotiation. Once the scope of policy options is broadened beyond the moral constraints of the anti-terrorist tradition, several studies on general political violence apply directly to situations like Mozambique's (Gupta, Singh, and Sprague 1993; and Lichbach 1987).

Regarding Mozambique's peace process, much has been written to document the conflict (Finnegan 1992; Hanlon 1991; Morgan 1990; and Hoile 1989). However, only Alden and Simpson (1993) have tried to analyze the peace process, but they focus primarily on the factors which brought the warring sides to the negotiating table and the history of the negotiations. They fail to generalize any theoretical implications of the Mozambican case study, or discuss the implications of successful negotiations with terrorists.

Defining Terrorism

The first step in seeking more effective anti-terrorist policies, is inspecting terrorism's inherently vague definition and the resulting vague label of *terrorist*. Many scholars have struggled to compose a comprehensive and exclusive definition for terrorism, but they continually confront numerous gray areas between terrorism and what may also be perceived as civil war, international aggression, governmental oppression, or armed revolution. Many

definitions have emerged such as the following:

- Violent, criminal behavior designed primarily to generate fear in the community, or a substantial segment of it, for political purposes (National Advisory Committee on Criminal Justice Standards and Goals 1976, 3).

- Symbolic action designed to influence political behavior by extranormal means entailing the use or threat of violence (Thornton 1964, 71-99).

- The culturally unacceptable use or threat of violence directed toward symbolic targets to influence political behavior whether directly through fear, intimidation or coercion, or indirectly by affecting attitudes, emotions, or opinions (Field and Estes 1985).

Even with relatively specific definitions, the problem of application is still evident. Depending on one's moral or political perspective, such diverse organizations as the Irish Republican Army, the Nicaraguan Contra's, or the United Nations in Iraq could all fit these definitions.

To clarify this ambiguity, policy makers often add a moral component to their definition of a terrorist. This moral distinction is, however, neither operative nor practical. Instead, it complicates the resolution process by sanctioning policies based more on subjective moral judgments than on an objective reality. The results are sometimes devastating and war rages where peace might otherwise be created. To demonstrate this point, I will use the last above-mentioned definition of terrorism to show that Mozambique's terrorist force is a

model terrorist force in the traditional sense, and consequently a standard against which to measure the failure of traditional counter-terrorism efforts and the success of a negotiated peace.

Mozambique's Terrorist Organization

The Mozambican terrorist organization, known as the Mozambican National Resistance or Renamo, fits the last above-mentioned definition of terrorism in every aspect:

- Renamo uses culturally unacceptable force
- Directed toward symbolic targets
- In an attempt to influence political behavior
- By use of direct fear, intimidation, and coercion
- And indirect influence over attitudes, emotions, and opinions.

Culturally Unacceptable Force

During 17 years of war against Mozambique's government, Renamo has killed hundreds of thousands of Mozambicans to consolidate their power and create an atmosphere of terror. In their widely publicized Homoine Massacre, Renamo murdered 424 people including many who were bedridden in a hospital and new born infants. "Almost half [of the victims] were women," and many were children (Van Koevering 1987, 43). Smaller but similar attacks occurred frequently. Overall, Renamo killed as many as 100,000 people and indirectly caused the deaths of another 600,000 to one million (Perlez 1992, 1[A]) and (Ayisi 1989, 60).

Symbolic Targets

When Mozambique gained its independence in 1974 and the new Frelimo government came to power, the country desperately needed educational and health care facilities, so one of Frelimo's first efforts was to construct hundreds of schools and health centers. These institutions soon came to represent the government in the minds of many Mozambicans, and therefore became excellent symbolic targets in the minds of Renamo. Between 1980 and 1988 alone, Renamo "rendered incapable" 1,800 schools and 720 health care facilities (Vines 1991, 17).

Another significant target had been Mozambique's economy. By targeting the economy, Renamo not only weakened the government, but it also symbolically attacked the government's strength and sovereignty. To disrupt an already weak economy, Renamo incapacitated 900 stores and 1,300 trucks and busses (Vines 1991, 17). Many roads were completely impassable and the railroads were under constant threat. Because the threat was so serious, neighboring Zimbabwe posted 10,000 troops along the Mozambican railways it used in order to protect Zimbabwe's economic interests.

By 1990 Renamo's attacks had cost Mozambique $15 billion (Schneidman 1991, 1), and forced the government to spend approximately 40 percent of its budget on defense (Morgan 1990, 617). In 1990 Mozambique was designated by the "World Bank as the world's poorest country, with a GNP per capita of just $100" (Meldrum 1992, 29). Sixty percent of its people live in absolute poverty, meaning they lack adequate nutrition "even though 60 percent of their total income is spent on food"

(Chelala 1992, 19). Many felt that the economic devastation was so massive that "development [would] not begin until the rebels [were] either destroyed or incorporated into the country's government" (Huffman 1992, 27).

Attempts to Influence Political Behavior

Since its birth, Renamo has been a political actor. The white-minority ruled Rhodesian government originally established Renamo to destabilize and discredit Mozambique's black-ruled, Marxist government. Since Rhodesia's demise and South Africa's withdrawal from the Mozambican conflict, Renamo has now resorted to consolidating military and political power for itself.

Use of Fear, Intimidation, and Coercion

The Mozambican people lived in constant fear that they would fall victim to Renamo's unpredictable attacks, a fear Renamo intentionally cultivated. Renamo sometimes cut off the ears, nose, and lips of their victims and then allowed them to live as a source of warning and fear to all who saw them (Perlez 1992, 13 October, 8[A]). Renamo also coerced villages to provide Renamo with food and manpower--men and boys as young as thirteen years were forced to join Renamo's ranks.

The coercion did not end once these men were compelled into service. Under threat of death, Renamo forced the kidnapped recruits to fight with them (Minter 1989, 18). One reporter interviewed 32 Renamo terrorists and thirteen of which "had personal knowledge of the execution of Renamo combatants who tried to escape" (Minter 1989, 19). One escaped Mozambican claimed "the first thing they tell you is that if you try to escape, we'll kill you" (Ottaway 1992, 25[A]).

Ifluence over Attitudes, Emotions, and Opinions

At first, these atrocities led Mozambique's general population to hate Renamo which prevented Mozambique's government from compromising with Renamo. As the war waged on, however, this attitude began to soften. Renamo-induced starvation, for example, had a substantial impact on the Mozambicans' attitudes.

In 1992, four million Mozambicans were under threat of starvation (Matonse 1992, 29) due mostly to "terrorist activities," which had forced farmers from their land and severed many transportation routes (U.S. Congress, House 1988, 7). By creating an atmosphere of hopelessness through extreme poverty, starvation, and fear, Renamo has imposed upon the Mozambican people a weariness and readiness for compromise. A former Frelimo supporter articulated the general feeling of many desperate Mozambicans, "I don't even care anymore what kind of government we have, just so long as we have peace" (Meldrum 1992, 32). One man released from a rebel-held area stated his highest hopes saying, "Maybe we will be able to move a little bit now and search for food..." (Perlez 1992, 1[A]). By 1992 starvation and desperation had driven both sides to negotiate a settlement.

The Peace Process

The negotiating process formally began in July 1990 when Mozambique's no-win predicament had become evident and the Frelimo government began bargaining directly with Renamo. After many concessions and compromise, on 4 October 1992 the Frelimo government and Renamo signed a peace treaty officially ending the 17 year war. The peace negotiations made it

clear that "while the Chissano [Mozambique's current president] government is opposed to many of Renamo's demands, it is losing the will to argue about principles while its administration is rapidly collapsing" (Meldrum 1992, 32).

Consequently, Mozambique's government has been forced to make some very substantial compromises. It is currently revising the national anthem (Zandamela 1993), and it agreed to change the country's name from *the People's Republic of Mozambique* to *the Republic of Mozambique*. Other major concessions include the following:

- Complete political asylum for all Renamo soldiers (a significant compromise considering many citizens view these men as ruthless murderers).
- The establishment of a unified armed forces made up equally by the government and the rebels.
- UN supervised elections with Renamo as a legitimate contender for the country's leadership.

The crucial question remains: Will these compromises pay off? Will they provide the peace that Mozambique desires or will the country relapse into war? More than one year into the peace process, evidence is emerging for much optimism.

Factors of Hope

So far the peace accord has been an overwhelming success. Almost immediately after the peace accord was signed the fighting stopped (Perlez, 16 October, 8[A]), and there has been very little violence since. For the peace process to be considered truly successful, however, much more than temporary peace is needed; Mozambique

needs to create a stable political environment which will secure a lasting peace.

There is still room for skepticism concerning the durability of the peace, especially given the slow pace of troop demilitarization. But overall the process has been surprisingly successful in preparing for long term peace. This success demonstrates itself in a number of ways.

War Fatigue

One of the most positive factors contributing to the peace process is the nation-wide weariness of war and desire for peace. On the first year anniversary of the peace accord Aldo Ajello, UN special representative to Mozambique, announced that "Mozambique had enjoyed a year without fighting" and claimed that because the Mozambican people had tasted peace "it would be hard for either side to go back to war" (BBC World Service 1993).

As a result of this war fatigue, both sides of the conflict have supported the peace process and solicited international support for peace. Both President Joaquim Chissano and Afonso Dhlakama, Renamo's leader, have visited many foreign capitals in order to solicit assistance. Consequently, the peace process has received international attention and substantial United Nations assistance.

UN Peacekeeping Efforts

Because all sides of the conflict agree on the need for international assistance, they have opened the door for substantial UN involvement. One opposition party leader stated that "the United Nations has a great deal of influence, and we can say that the Mozambican people have been very lucky" (Radio Mozambique Network 1993, 7 June, 1030). Even Renamo's president has "appealed for greater UN involvement in

order to prevent a repetition of what has happened in Angola" (Radio Mozambique Network 1993, 4 October, 0500).

The UN effort, entitled the United Nations Operations in Mozambique (UNOMOZ), began with a small token force of only 25 peacekeepers (Perlez 1992, 16 October, 8[A]), but quickly increased to 6,200 by the end of May 1993. (Radio Mozambique Network, 28 May, 1030). The UN effort has solicited widespread international support; currently twenty-four nations are participating in UNOMOZ (Radio Mozambique Network, 28 May, 1030).

The United Nation's involvement is not however limited to peacekeeping activities. The UN has also agreed to fund Renamo with $10 million to assist its transition to a political party (Radio Mozambique Network 1993, 20 May, 1730), and UNICEF is providing an education for many displaced children (Radio Mozambique Network 1993, 8 June, 1100).

Troop Demobilization

Piet Kruger, UNOMOZ coordinator in charge of troop demobilization, estimated there were originally 80 to 100 thousand active Frelimo and Renamo soldiers (Radio Mozambique Network 1993, 8 June, 1100). Demobilizing these soldiers is a monumental task which Aldo Ajello claims is one of Mozambique's most crucial problems (Radio Mozambique Network 1993, 15 October, 1030). Unfortunately, by the first anniversary of the peace accord, when elections were originally planned to be held, "neither side has demobilized a single soldier or handed in a single weapon" (BBC World Service 1993). By January 1994, however, 8,340 Frelimo and 5,400 Renamo troops had been demobilized (MEDIAFAX 1994, 2).

Several governmental policies are facilitating troop demobilization. To enable many of the troops to demobilize, they are given three months wage to help them start a new life (Baloi 1993, 23). Some troops, however, are not being paid, and observers fear that disgruntled troops might resort to banditry. A few incidents support this concern, but others contradict it. One demobilized soldier claimed "the most important thing is that I am going home. I was tired of fighting. With or without money, the fact is that I will be at home" (Baloi 1993, 26). Furthermore, to ease the transition the government is offering abandoned farm land to demobilized soldiers (Channel African Radio 1993).

Reintegrating twenty thousand Renamo rebels into society could be especially difficult for personal and social reasons. Many Renamo soldiers have known no other life but war, so adjustment will be difficult. Fortunately, Renamo's character should make demobilization easier. Renamo differs from other terrorist or rebel forces in that many of the members support Renamo unwillingly. Of 32 Renamo soldiers interviewed, only one claimed he belonged to Renamo for ideological reasons (Minter 1989, 18). When given the opportunity, many escape. In 1988 the government offered amnesty to anyone who left Renamo, and 3,000 accepted.

In addition to Renamo troops' adjustment, Mozambican society may also have difficulties with Renamo's demobilization. Of 170 Mozambican refugees interviewed, 91% felt very negatively toward Renamo (Huffman 1992, 116). Fortunately, war fatigue has made this a somewhat moot point. The general feeling among Mozambicans is that they can accept Renamo troops and work with them to start their lives together anew (Zandamela 1993).

Troop Integration

Another potential source of conflict is likewise rapidly diminishing--the creation of the Armed Defense Forces of Mozambique composed of 15,000 soldiers from each party. On August 16, 1993 the first 100 men (50 from each side) were sent to a leadership training base in Nyanga, Zimbabwe. Several weeks into the training, the integration showed signs of success. Soldiers who had been shooting at each other just months earlier were "working, eating, and living together" apparently with no conflict (TEMPO 1993, 10-12). Most observers could not perceive any differences among the men at all.

A former government soldier, who at first doubted the plan's potential for success, claimed later to "feel very good about it." A former Renamo soldier claimed the experience was "very constructive." In October, another 440 soldiers joined the first 100, and together these 540 soldiers were prepared to train and lead the 30,000 man unified army (TEMPO 1993, 10-12). By February 21, 1994 the first six battalions of 700 men each were to report for this training (Radio Mozambique Network 1994, 2 February, 1730).

Building Trust

Before demobilization can begin in full force, a certain amount of mutual trust is necessary. "Reflecting on a year of peace in Mozambique, Aldo Ajello admitted there was one obvious cause for regret--a total failure to build trust between the two sides" (BBC World Service 1993). Soon thereafter, however, the two parties made agreements" which caused Ajello to claim that the "peace machine is working at full speed," and that "the government and Renamo are slowly overcoming their mistrust of each other" (Radio Mozambique

Network 1993, 29 October, 1400).

Although Chissano and Dhlakama still disagree on many issues, they have been able to build a close personal relationship which is very beneficial to the peace process. Dhlakama said that "the two of us have had conversations, and we often tell jokes and laugh" (Radio Mozambique Network 1993, 22 October, 1730). UN Representative Ajello also voiced his approval stating "he was pleased with the atmosphere" the two leaders were creating and the real understanding they were forming between them (Radio Mozambique Network 1993, 22 October, 1730).

Miscellaneous Factors

Several miscellaneous aspects of Mozambique's current status cause one to question whether overcoming such great problems is possible. For example, the economy is still a shambles, and millions of Mozambicans are still displaced or living as refugees abroad who must be reintegrated into society and the economy. Malawi alone harbors almost one million refugees (Huffman 1992, 114). Furthermore, Mozambique's infrastructure is still mostly unusable, due to an estimated two million land mines (Radio Mozambique Network 1993, 18 May, 1030).

In contrast to these problems, hundreds of refugees are coming home and being successfully reintegrated. Approximately 1.5 million who were displaced abroad and domestically have returned to their homes with very few problems (Radio Mozambique Network 1993, 19 October, 1030), a sign "that the people believe that peace has come to stay..." (Engineering News 1993, 36).

Furthermore, the destruction of the economy has stopped, and more importantly, Mozambique is creating the political stability that will help the economy

grow. Prospects of economic development are even brighter considering that all sides of the conflict are working together to encourage economic development. Dhlakama now pleads for the reconstruction of "shops, schools, hospitals, roads, and bridges" which he has spent the last two decades destroying (Radio Mozambique Network 1993, 21 May 1030). South Africa's *Engineering News* claims that "as peace takes hold in Mozambique after almost 30 years of war, so optimism is taking hold. Foreign investors and tourists are flooding back to the country to rebuild its infrastructure. . ." (36). Already 200 foreign investors have begun projects with Mozambique, and several major corporations including Coca Cola and Colgate-Palmolive are strongly considering seizing business opportunities there (Southern African Economist 1993, 22 and 23).

Evaluating the Peace Accord's Success

Although the debate over the peace accord's success cannot yet be completely settled, most indicators point toward a successful conclusion to the peace process. Even if the worst case materializes and the country plunges back into war, Mozambicans will have experienced more than a year of peace they would not have enjoyed otherwise. At the very best, 15 million Mozambicans can live out their lives in peace.

Theoretical Application of Mozambique's Case Study: Negotiating with Terrorists

One lesson that may be extracted from the Mozambican experience, is that policy makers should sometimes cast off the dogmatic hard-line approach. They should accept that traditional methods of understanding and reacting to terrorism are insufficient and counterproductive in some situations. Abandoning previous assumptions does not, however, leave policy makers without a foundation for analysis and action. Instead, a multitude of theoretical conflict resolution models may be refined and applied to address political terrorism.

Two conflict resolution theories, in particular, demonstrate concepts of general political violence that are easily applied to terrorist violence: the research of Mark Lichbach (1987) and Dipak Gupta, Harinder Singh, and Tom Sprague (1993). The two theories explore the relationship between governmental coercion and the magnitude and quality of political dissent--a relationship crucial to political terrorism.

Jeffery Ross alludes to the importance of this relationship in his causal study of oppositional terrorism. Among terrorism's precipitant causes (as opposed to structural causes), he ranks grievances as the most influential (320). Among potential grievances, he discusses legal grievances which closely parallel Lichbach's and Gupta's concept of governmental coercion or repression (Ross 1993, 325). Lichbach and Gupta et al.have expounded greatly on this relationship.

Mark Lichbach (1987) reviews several debated relationships between governmental repression (indicated as increasing with the X-axis) and political violence (indicated as increasing with the Y-axis), and considers four different models signified in Figures 1, 2, 3, and 4. Traditional anti-terrorism approaches would endorse the model shown in Figure 2, which prescribes more coercion to stop political violence, but Lichbach suggests another theory. He believes that "an increase in a government's repression of nonviolence will reduce the nonviolent activities of an opposition group but increase its violent
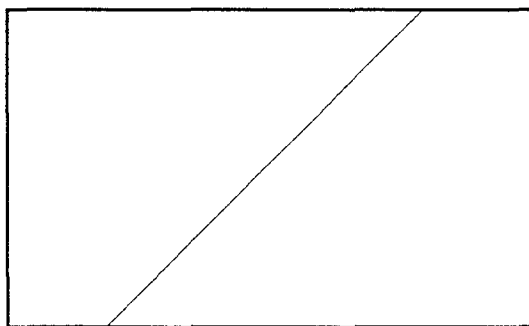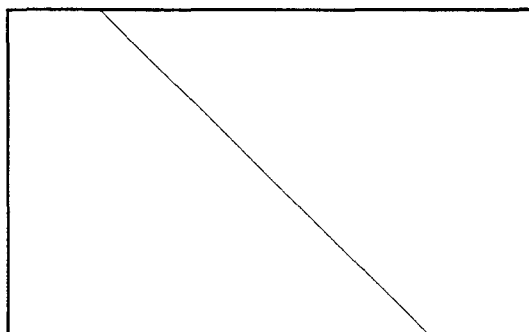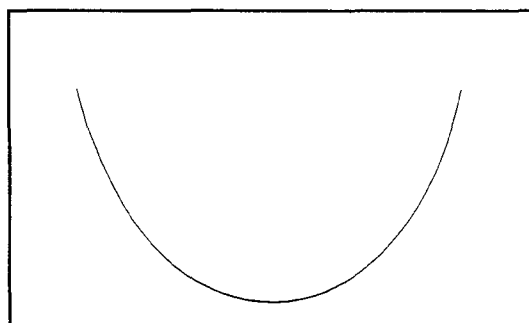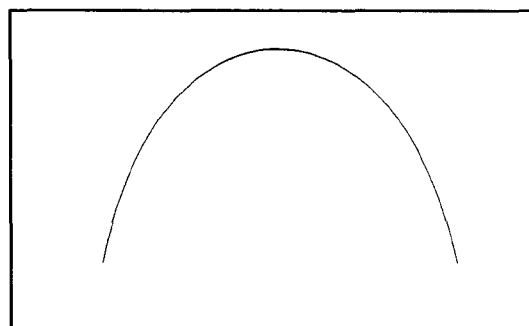
Figure 1

Figure 2

Figure 3

Figure 4

activities" (Lichbach 1987, 266). According to his model, the traditional reaction to terrorism--repression and non-negotiation--would increase, not lessen terrorist violence. Grupta etal. (1993) analyze this same relationship between coercion and political dissent by graphing the relationship of empirical data they collected. They also break down the analysis between democratic and non-democratic nations, and between violent and less violent political dissent. They summarize their findings in the table found in Appendix 1 (335).

Considering that political terrorist violence contains many of the qualities measured in the *Political Instability Quotient*, deaths from domestic group violence, and armed attacks, Gupta, Singh and Sprague's conclusions may also be applied to the effect of governmental repression on terrorist violence.

Their findings generally depict two relationships: a positive relationship (similar to Figure 1) for democracies, and an inverted U relationship (similar to Figure 4) for nondemocracies. This second relationship seems to indicate that increasing governmental repression in a nondemocratic country may sometimes lessen terrorist violence. Gupta et al. admit, however, that few countries sufficiently coerce their citizens to place the relationship on the negatively sloped side of the graph. Most regimes find themselves on the positively sloped side of the graph where increasing coercion increases political instability (323). Therefore, except for a few extremely coercive nondemocratic governments, all of Gupta's findings agree with Lichbach's claim that increased governmental coercion only increases political violence (the positive relationship found in Figure 1).

Each of these theories accurately explains the success of Mozambique's peace process. As the government began to negotiate with Renamo, the government's

coercive effect was drastically reduced. Consequently, and as both models had predicted, political violence declined.

Conclusion

In Mozambique an unconventional approach to terrorism has been successful, but this should not be surprising. By examining ambiguous definitions of terrorism and viewing two conflict resolution theories in the terrorist context, one finds that untraditional approaches may prove very successful in other situations similar to Mozambique's.

Further study is still needed before this conclusion can be more generally applied. Mozambique's unique political situation, the magnitude of the conflict, the willingness of Renamo to negotiate, and the willingness of the international community to assist the negotiation all play a vital role in the peace. Two historic opportunities lie before the scholarly community at this time which may confirm or rebut the wisdom of negotiating with terrorists. The first is the newly publicized negotiations between the United Kingdom's government and Sinn Fein, the political arm of the IRA. The second is the ongoing negotiations between Israel and the PLO. In each of these cases, however, significant extra-governmental coercion plays a role which should also be considered as part of the coercion-violence relationship.

Further study will also be needed regarding the Mozambican peace process as it continues to develop. Events in the coming year, the elections next October, and the adjustment period thereafter will paint a more complete picture of the effects reduced governmental coercion have on political violence. For the present time, however, the peace process appears to be successful, and negotiating with terrorists is in this instance a successful counter-terrorist approach.

WORKS CITED

Alden, Chris, and Mark Simpson. 1993. Mozambique: A delicate peace. *Journal of Modern African Studies* 31 (no. 1): 109-130.

Atkinson, Scott E., Todd Sandler, and John Tschirhart. 1987. Terrorism in a bargaining framework. *Journal of Law and Economics* 30 (April): 1-21.

Ayisi. Ruth Ansah. 1989. The most innocent victims. *Africa Report* 34 (September-October):59-61.

Baloi, Bento. 1993. Virtues and Omissions. *Domingo* 15 August 6 and 11. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 14 October, 23-6.

BBC World Service. 1993, 1 October, 1515. *UN's Ajello says no elections without demobilization*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 4 October, 21.

Busby, Morris D. 1990. *Counterterrorism in the 1990s*. Washington, D.C.: United States Department of State--Bureau of Public Affairs.

Channel African Radio 1993, 25 October 1100. *Foreign minister views new plan to restore economy*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 26 October, 31-2.

Chelala, Cesar A. 1992. Mozambique can be brought back from the brink. *Christian Science Monitor*, June 9, 19.

Engineering News. 1993. *Country's investment prospects explored*, 36. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 21 October, 18-22.

Field, Hurlburt and Mary Estes. 1985. *U.S. Air Force Special Operation School*. Florida: U.S. Air Force Special Operations School. Quoted in James M. Poland. *Understanding terrorism: Groups, strategies, and responses*, 9. Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1988.

Finnegan, William. 1992. *A complicated war: The harrowing of Mozambique*. Berkeley: University of California Press.

Gupta, Dipak K., Harinder Singh, and Tom Sprague. 1993. Government coercion of dissidents: deterrence of provocation? *Journal of Conflict Resolution* 37 (June): 301-339.

Hanlon, Joseph. 1991. *Mozambique: Who calls the shots?* Bloomington: Indiana University Press.

Hoile, David. 1989. *Mozambique: A nation in crisis*. London: The Claridge Press.

Huffman, Robert T. 1992. Colonialism, socialism and destabilization in Mozambique. *Africa Today* 39 (1st & 2nd Quarters): 9-27.

Lichbach. Mark Irving. 1987. Deterrence or escalation? The puzzle of aggregate studies of repression and dissent. *Journal of Conflict Resolution* 31 (June): 266-97.

Matonse, Antonio. 1992. Mozambique: A painful reconciliation. *Africa Today* 39 (1st & 2nd Quarters): 29-34.

MEDIAFAX. 1994. *Dlakama's ultimatum. 19 January, 2*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 21 January, 12-13.

Meldrum, Andrew. 1992. Refuge from Renamo. *Africa Report* 39 (May-June): 28-32.

Minter, William. 1989. An army of abductors. *Africa Report* 34 (May-June): 17-20.

Morgan, Glenda. 1990. Violence in Mozambique: Towards an understanding of Renamo. *Journal of Modern African Studies* 23 (no.4): 603-619.

National Advisory Committee on Criminal Justice Standards and Goals, Law Enforcement Assistance Agency. 1976. *Disorders and terrorism.* Washington, D.C.: U.S. Government Printing Office. Quoted in James M. Poland. *Understanding terrorism: Groups, strategies, and responses*, 9. Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1988.

Ochberg, Frank M. 1985. Negotiating with terrorists. In *On terrorism and combating terrorism*, ed. Ariel Meraari. Frederick, Maryland: University Publications of America, Inc.

Ottaway, David, B. 1992. Mozambican civil war leaves town in peace. *Washington Post*, May 1, 25[A].

Perlez, Jane. 1992. A Mozambique formally at peace is bled by hunger and brutality. *New York Times.* 13 October, 1 and 8[A].

_____. 1992. Mozambique gets U.N. observer unit: A small group arrives in the capital to oversee accord. *New York Times.* 16 October, 8[A].

Radio Mozambique Network. 1993, 18 May, 1030. *Mine program paralyzed during past 2 months.* In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 19 May, 22-23.

_____. 1993, 18 May, 1400. *Ministers council approves revised compensation plan.* In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 19 May, 22.

_____. 1993, 20 May, 1730. *Foreign minister of peace accord implementation.* In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 28 May, 25-26.

_____. 1993, 21 May, 1030. *Dhlakama urges investment in Renamo areas.* In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 3 June, 38.

_____. 1993, 28 May, 1030. *Indian troops arrive in Maputo 28 May.* In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 3 June, 38.

_____. 1993, 7 June, 1030. *Opposition party official confident of accord success*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 8 June, 23.

_____. 1993, 8 June, 1100. *UNOMOZ official views troops demobilization process*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 9 June, 24-25.

_____. 1993, 4 October, 0500. *Dhlakama rejects war despite government 'provocations'*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 4 October, 23.

_____. 1993, 15 October, 1030. *UN official previews Butrus-Ghali visit on peace process*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 18 October, 38.

_____. 1993, 19 October, 1030. *Chissano, Butrus-Ghali speak on peace process*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 20 October, 19-20.

_____. 1993, 22 October, 1730. *Dhlakama discusses working relationship with Chissano*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 26 October, 30.

_____. 1993, 29 October, 1400. *UN's Ajello notes progress toward peace*. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 2 November, 23.

_____. 1994, 2 February, 1730. Training for new army battalions slated for 21 Feb. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 3 February, 23.

Ross, Jeffery Ian. 1993. Structural causes of oppositional political terrorism: Towards a causal model. *Journal of Peace Research* 30 (no. 3): 317-329.

Roukis, George S. 1983. Negotiating with Terrorists. In *Managing terrorism: Strategies for the corporate executive*, ed. Patrick J. Montana and George S. Roukis, 91-108. Westport, Connecticut: Quorum Books.

Schneidman, Witney W. 1991. Conflict resolution in Mozambique: A status report. *CSIS Africa Notes*. Washington D.C.: Center for Strategic and International Studies. 28 February, No. 121.

Southern African Economist. 1993. *Drumming up investment*, 17-19. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 21 October, 22-3.

TEMPO. 1993. *New armed forces training in Nyanga described*. 29 August, 10-12. In *Daily report: Sub-Saharan Africa*, by the United States Foreign Broadcast Information Service, 6 October, 13.

Thornton, Thomas P. 1964. *Terror as a weapon of political agitation*, in H. Eckstein ed. *Internal war*. 71-99. New York: Free Press. Quoted in James M. Poland. *Understanding terrorism: Groups, strategies, and responses*. 9. Englewood Cliffs, New Jersey: Prentice-Hall Inc., 1988.

U.S. Congress. House. Committee on Foreign Affairs. 1988. *U.S. response to relief efforts in Sudan, Ethiopia, Angola, and Mozambique: Joint hearing before the Select Committee on Hunger and the Subcommittee on Africa of the Committee on Foreign Affairs*. 100th Cong., 2nd Sess., 10 March.

Van Koevering, Mark. 1987. The Homoine Massacre--424 murdered, 298 captured. *Black Scholar* 18 (November-December): 43-44.

Vines, Alex. 1991. *Renamo: Terrorism in Mozambique*. London: Villiers Publications.

Zandamela, Paulo, native Mozambican. 1993. Interview by author, 30 November, Provo, Utah. Notes.

Zartman, William I. 1990. Negotiating effectively with terrorists. In *The politics of counterterrorism: The ordeal of democratic states*. ed. Barry Rubin, 136-188. Washington, D.C.: Foreign Policy Institute, The Paul H. Nitze School of Advanced International Studies, The Johns Hopkins University.

APPENDIX 1

Summary Results of Relations Between Repression and Dissident Activities

Regime Type[1]	Overall PIQ[2]	Deaths from Domestic Group Violence	Armed Attacks	Protest Demonstrations
Democracies	Insignificant	Positive	Positive	Positive
Democracies (Gurr)	Insignificant	Positive	Positive	Positive
Nondemocracies	Inverted U	Inverted U	Inverted U	Insignificant
Nondemocracies (Gurr)	Inverted U	Inverted U	Indeterminate	Indeterminate

[1]   Note that two definitions of democracies and nondemocracies were used (the second offered by Ted Gurr) which offered only slightly differing results concerning armed attacks and protest demonstrations in nondemocracies.

[2]   "Political Instability Quotient" takes into account the number of political demonstrations, riots, political strikes, deaths from political violence, assassinations, armed attacks, political executions, and attempted coups d'etat.